

ASSEMBLY BILL NO. 408—ASSEMBLYMEN JOINER, SPIEGEL, BILBRAY-AXELROD, FUMO, SPRINKLE; ARAUJO, BENITEZ-THOMPSON, BROOKS, BUSTAMANTE ADAMS, CARLTON, CARRILLO, COHEN, DALY, DIAZ, FLORES, FRIERSON, MCCURDY II, MONROE-MORENO, NEAL, OHRENSCHALL, SWANK AND THOMPSON

MARCH 20, 2017

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to Medicaid and health insurance. (BDR 38-957)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 9)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to health care; requiring the State Plan for Medicaid to cover certain preventive health care services and maternity and newborn care; revising provisions relating to the dispensing of contraceptives; requiring insurers to offer health insurance coverage regardless of the health status of a person; requiring insurers to allow the covered adult child of an insured to remain covered by the health insurance of the insured until 26 years of age; requiring insurers to provide coverage for certain family planning services and supplies and preventive health care services for women, adults and children at no cost; requiring insurers to provide coverage for maternity and newborn care; prohibiting providers of health care and insurers from discriminating against a person on certain grounds; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

1 Existing law provides that an insurer may not deny, limit or exclude a benefit
2 provided by a health care plan in certain limited circumstances, including, without
3 limitation, when a person has contracted for a blanket policy of accident or health
4 insurance or in certain cases relating to adoption. (NRS 689B.500, 689C.190,
5 695A.159, 695B.193, 695C.173, 695F.480) The Patient Protection and Affordable
6 Care Act (Public Law 111-148, as amended) prohibits an insurer from establishing
7 rules for eligibility for a health care plan based on sex or certain health status
8 factors, including, without limitation, preexisting conditions, claims history or
9 genetic information, and also prohibits an insurer from charging a higher premium,
10 deductible or copay based on sex or these health status factors. (42 U.S.C. §
11 300gg-4) **Sections 15, 31, 41, 48, 57, 68, 80, 83 and 94** of this bill align Nevada
12 law with federal law and require all insurers to offer health insurance coverage
13 regardless of the health status of a person and prohibits an insurer from denying,
14 limiting or excluding a benefit or requiring an insured to pay a higher premium,
15 deductible, coinsurance or copay based on the health status of the insured or the
16 covered spouse or dependent of the insured.

17 The Patient Protection and Affordable Care Act (Public Law 111-148, as
18 amended) requires all insurers to extend coverage for the covered adult child of an
19 insured until such child reaches 26 years of age. (42 U.S.C. § 300gg-14) **Sections**
20 **16, 25, 34, 49, 58, 69, 81 and 84** of this bill align Nevada law with federal law in
21 this manner.

22 The Patient Protection and Affordable Care Act (Public Law 111-148, as
23 amended) requires all health insurance plans to include coverage for maternity and
24 newborn care. (42 U.S.C. § 18022(b)) **Sections 21, 32, 43, 53, 62, 73 and 88** of this
25 bill align Nevada law with federal law in this manner.

26 The Patient Protection and Affordable Care Act (Public Law 111-148, as
27 amended) requires all health insurance plans to include coverage, without any
28 higher deductible or any copay or coinsurance, for certain preventive health care
29 services for women, adults and children, including, without limitation, screenings
30 and tests for certain diseases, counseling, contraceptive and other family planning
31 drugs, devices and services as well as vaccinations. (42 U.S.C. § 300gg-13; 45
32 C.F.R. § 147.130) **Sections 9-10, 16.5-20, 22, 25.5-30, 34.5-39, 49.5-52, 54, 55,**
33 **58.5-61, 63, 64, 69.5-72, 76, 77, 84.5-87, 89 and 90** of this bill align Nevada law
34 with federal law in this manner, and extend these requirements to health insurance
35 purchased by local governments and the Public Employees' Benefits Program.
36 **Sections 1.5-4, 5.5, 6 and 7** of this bill also require the State Plan for Medicaid to
37 include certain preventive health care services for women, adults and children.

38 Existing law allows an insurer which is affiliated with a religious organization
39 and which objects on religious grounds to providing coverage for contraceptive
40 drugs and devices to exclude coverage in its policies, plans or contracts for such
41 drugs and devices. (NRS 689A.0415, 689B.0376, 695B.1916, 695C.1694) **Sections**
42 **16.5, 20.3, 20.6, 25.5, 30.3, 30.6, 58.5, 63.3, 63.6, 69.5, 74.3 and 74.6** of this bill
43 move the religious exemption coverage for the contraceptive drugs, devices and
44 services required by this bill to the new provisions relating to coverage of
45 contraception. **Sections 34.5, 49.5 and 84.5** of this bill provide a religious
46 exemption for insurers who are newly required by this bill to provide coverage of
47 drugs and devices for contraception.

48 Existing law authorizes a pharmacist to dispense up to a 90-day supply of a
49 drug pursuant to a valid prescription or order in certain circumstances. (NRS
50 639.2396) **Section 11.3** of this bill requires a pharmacist to dispense up to a
51 12-month supply of a drug for contraception or a therapeutic equivalent pursuant to
52 a valid prescription or order if: (1) the patient has previously received a 3-month
53 supply of the same drug; (2) the patient has previously received a 9-month supply
54 of the same drug or a supply of the same drug for the balance of the plan year in



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55 which the 3-month supply was prescribed or ordered, whichever is less; (3) the
56 patient is insured by the same health insurance plan; and (4) a provider of health
57 care has not specified in the prescription or order that a different supply of the drug
58 is necessary.

59 The Patient Protection and Affordable Care Act (Public Law 111-148, as
60 amended) prohibits a provider of health care or state health insurance exchange
61 who receives federal money from discriminating against a person on the basis of
62 race, color, national origin, sex, age, or disability in providing health care services
63 to the person. The Act also prohibits an insurer who receives federal money from
64 discriminating against a person on those same grounds, as well as gender identity or
65 expression. (42 U.S.C. § 18116; 45 C.F.R. § 92.207) The federal regulation that
66 prohibits insurers from discriminating on the basis of gender identity or expression
67 is no longer enforceable, however, because it was recently held to exceed the
68 statutory authority granted by the Act. (*Franciscan Alliance Inc., v. Burwell*, 2016
69 WL 7638311 (N.D. Tex. Dec. 31, 2016)) Federal regulations also require providers
70 of health care, state health insurance exchanges and insurers to provide certain
71 assistive services and notice of these nondiscrimination provisions to all persons
72 who receive health care services. (45 C.F.R. §§ 92.8, 92.201, 92.202) **Sections 11**
73 **and 12** of this bill generally align Nevada law with federal law, and prohibit a
74 provider of health care or an insurer from discriminating against a person on these
75 grounds, including, without limitation, discrimination based on gender identity or
76 expression or sexual orientation.

1 WHEREAS, Passage of the Patient Protection and Affordable
2 Care Act, Public Law 111-148, as amended by Congress in 2010,
3 granted all Nevadans certain rights relating to health insurance
4 coverage and provided greater access to health care benefits in this
5 State; and

6 WHEREAS, Congress currently is considering the repeal of the
7 Patient Protection and Affordable Care Act; and

8 WHEREAS, The Nevada Legislature wishes to ensure that all
9 Nevadans continue to have access to certain rights and health care
10 benefits currently guaranteed by the Patient Protection and
11 Affordable Care Act; and

12 WHEREAS, The Nevada Legislature intends to maintain, not
13 expand, those rights and health care benefits as they existed on
14 January 1, 2017; now, therefore,

15
16 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
17 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

18
19 **Section 1.** Chapter 422 of NRS is hereby amended by adding
20 thereto the provisions set forth as sections 1.5 to 6, inclusive, of this
21 act.

22 **Sec. 1.5. 1. *The Director shall include in the State Plan for***
23 ***Medicaid a requirement that the State pay the nonfederal share of***
24 ***expenditures for family planning services and supplies, including,***
25 ***without limitation:***



1 (a) *Up to a 12-month supply, per prescription, of any type of*
2 *drug for contraception or its therapeutic equivalent which is:*

- 3 (1) *Lawfully prescribed or ordered;*
4 (2) *Approved by the Food and Drug Administration; and*
5 (3) *Dispensed in accordance with section 11.3 of this act;*

6 (b) *Any type of device for contraception which is:*

- 7 (1) *Lawfully prescribed or ordered; and*
8 (2) *Approved by the Food and Drug Administration;*

9 (c) *Insertion or removal of a device for contraception;*

10 (d) *Education and counseling relating to the initiation of the*
11 *use of contraception and any necessary follow-up after initiating*
12 *such use;*

13 (e) *Management of side effects relating to contraception; and*

14 (f) *Voluntary sterilization for women.*

15 2. *Except as otherwise provided in subsections 4 and 5, to*
16 *obtain any benefit included in the Plan pursuant to subsection 1, a*
17 *person enrolled in Medicaid must not be required to:*

18 (a) *Pay a higher deductible, any copayment or coinsurance; or*

19 (b) *Be subject to a longer waiting period or any other*
20 *condition.*

21 3. *The Director shall ensure that the provisions of this section*
22 *are carried out in a manner which complies with the requirements*
23 *established by the Drug Use Review Board and set forth in the list*
24 *of preferred prescription drugs established by the Department*
25 *pursuant to NRS 422.4025.*

26 4. *The Plan may require a person enrolled in Medicaid to pay*
27 *a higher deductible, copayment or coinsurance for a drug for*
28 *contraception if the person refuses to accept a therapeutic*
29 *equivalent of the drug.*

30 5. *For each method of contraception which is approved by*
31 *the Food and Drug Administration, the Plan must include at least*
32 *one drug or device for contraception for which no deductible,*
33 *copayment or coinsurance may be charged to the person enrolled*
34 *in Medicaid, but the Plan may charge a deductible, copayment or*
35 *coinsurance for any other drug or device that provides the same*
36 *method of contraception.*

37 6. *As used in this section, "therapeutic equivalent" means a*
38 *drug which:*

39 (a) *Contains an identical amount of the same active*
40 *ingredients in the same dosage and method of administration as*
41 *another drug;*

42 (b) *Is expected to have the same clinical effect when*
43 *administered to a patient pursuant to a prescription or order as*
44 *another drug; and*



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1 (c) *Meets any other criteria required by the Food and Drug*
2 *Administration for classification as a therapeutic equivalent.*

3 **Sec. 2. 1.** *The Director shall include in the State Plan for*
4 *Medicaid a requirement that the State pay the nonfederal share of*
5 *expenditures incurred for:*

6 (a) *Counseling and support for breastfeeding;*

7 (b) *Screening and counseling for interpersonal and domestic*
8 *violence;*

9 (c) *Counseling for sexually transmitted diseases;*

10 (d) *Screening for blood pressure abnormalities and diabetes,*
11 *including gestational diabetes;*

12 (e) *An annual screening for cervical cancer;*

13 (f) *Screening for depression;*

14 (g) *Such well-woman preventive visits as recommended by the*
15 *Health Resources and Services Administration;*

16 (h) *A daily dose of 0.4 to 0.8 milligrams of folic acid for*
17 *women who are capable of becoming pregnant;*

18 (i) *Aspirin for the prevention of preeclampsia for women who*
19 *are determined to be at a high risk of that condition after 12 weeks*
20 *of gestation;*

21 (j) *Medication to prevent breast cancer for women who are at*
22 *a high risk of developing breast cancer and have a low risk of*
23 *adverse side effects from the medication; and*

24 (k) *Prophylactic ocular tubal medication for the prevention of*
25 *gonococcal ophthalmia in newborns.*

26 **2.** *To obtain any benefit provided in the Plan pursuant to*
27 *subsection 1, a recipient of Medicaid must not be required to:*

28 (a) *Pay a higher deductible, any copayment or coinsurance; or*

29 (b) *Be subject to a longer waiting period or any other*
30 *condition.*

31 **Sec. 3. 1.** *The Director shall include in the State Plan for*
32 *Medicaid a requirement that the State pay the nonfederal share of*
33 *expenditures incurred for:*

34 (a) *Counseling relating to the dietary needs of adults who are*
35 *at a high risk of chronic diseases;*

36 (b) *Statin preventive medication for persons between the ages*
37 *of 40 and 75 years who do not have a history of cardiovascular*
38 *disease, but who have:*

39 (1) *One or more risk factors for cardiovascular disease;*
40 *and*

41 (2) *A calculated risk of at least 10 percent of acquiring*
42 *cardiovascular disease within the next 10 years;*

43 (c) *Aspirin for persons between the ages of 50 and 59 years*
44 *who have a calculated risk of at least 10 percent of acquiring*



1 *cardiovascular disease within the next 10 years and a life*
2 *expectancy of at least 10 years;*

3 *(d) Vitamin D supplements for persons who are at least 65*
4 *years of age to prevent the person from falling if the person:*

5 *(1) Does not reside in a medical facility or a facility for the*
6 *dependent; and*

7 *(2) Has an increased risk of falls;*

8 *(e) Tuberculosis screenings for latent tuberculosis infection in*
9 *persons with increased risk of contracting tuberculosis;*

10 *(f) Screening for high blood pressure to confirm a diagnosis*
11 *made outside a clinical setting before treatment is commenced;*

12 *(g) One abdominal aortic screening by ultrasound to detect*
13 *abdominal aortic aneurisms for men between the ages of 65 and*
14 *75 years who have smoked during their lifetimes;*

15 *(h) Screening for hepatitis B infection for persons who are at a*
16 *high risk of contracting hepatitis B;*

17 *(i) Screening for hepatitis C infection for persons who are at a*
18 *high risk of contracting hepatitis C;*

19 *(j) One screening for hepatitis C infection for persons born*
20 *between 1945 and 1965;*

21 *(k) Screening for osteoporosis for women who:*

22 *(1) Are 65 years of age and older; or*

23 *(2) Have a risk of fracturing a bone equal to or greater*
24 *than that of a woman who is 65 years of age without any*
25 *additional risk factors;*

26 *(l) Screening for alcohol misuse for persons 18 years of age or*
27 *older;*

28 *(m) If a person engages in risky or hazardous consumption of*
29 *alcohol, as determined by the screening described in paragraph*
30 *(l), behavioral counseling to reduce such behavior; and*

31 *(n) Screening for lung cancer using low-dose computed*
32 *tomography for persons between the ages of 55 and 80 years who:*

33 *(1) Have a smoking history of 30 pack-years;*

34 *(2) Smoke or have stopped smoking within the immediately*
35 *preceding 15 years; and*

36 *(3) Do not suffer from a health problem that substantially*
37 *limits the life expectancy of the person or the willingness of the*
38 *person to undergo curative surgery.*

39 *2. To obtain any benefit provided in the Plan pursuant to*
40 *subsection 1, a recipient of Medicaid must not be required to:*

41 *(a) Pay a higher deductible, any copayment or coinsurance; or*

42 *(b) Be subject to a longer waiting period or any other*
43 *condition.*

44 *3. As used in this section:*



1 (a) "Computed tomography" means the process of producing
2 sectional and three-dimensional images using external ionizing
3 radiation.

4 (b) "Facility for the dependent" has the meaning ascribed to it
5 in NRS 449.0045.

6 (c) "Medical facility" has the meaning ascribed to it in
7 NRS 449.0151.

8 (d) "Pack-year" means the product of the number of packs of
9 cigarettes smoked per day and the number of years that the person
10 has smoked.

11 **Sec. 4. 1. The Director shall include in the State Plan for**
12 **Medicaid a requirement that the State pay the nonfederal share of**
13 **expenditures incurred for:**

14 (a) Screening for depression;

15 (b) Smoking cessation programs;

16 (c) Screening, tests and counseling for such other health
17 conditions and diseases as recommended by the Health Resources
18 and Services Administration for persons less than 18 years of age;

19 (d) Assessments relating to height, weight, body mass index
20 and medical history of persons less than 18 years of age; and

21 (e) All vaccinations recommended by the Advisory Committee
22 on Immunization Practices of the Centers for Disease Control and
23 Prevention of the United States Department of Health and Human
24 Services or its successor organization.

25 2. To obtain any benefit provided in the Plan pursuant to
26 subsection 1, a recipient of Medicaid must not be required to:

27 (a) Pay a higher deductible, any copayment or coinsurance; or

28 (b) Be subject to a longer waiting period or any other
29 condition.

30 **Sec. 5. (Deleted by amendment.)**

31 **Sec. 5.5. The Director may include in the State Plan for**
32 **Medicaid a requirement that, to the extent money is available, the**
33 **State pay the nonfederal share of expenditures incurred for:**

34 1. Supplies for breastfeeding; and

35 2. Such prenatal screenings and tests as recommended by the
36 American College of Obstetricians and Gynecologists or its
37 successor organization.

38 **Sec. 6. The Director shall include in the State Plan for**
39 **Medicaid a requirement that the State pay the nonfederal share of**
40 **expenditures incurred for:**

41 1. A mammogram;

42 2. Counseling concerning genetic testing for breast cancer
43 for women who are at a high risk of developing breast cancer; and

44 3. Counseling concerning breast cancer chemoprevention for
45 women who are at risk of developing breast cancer.



1 **Sec. 7.** NRS 422.2718 is hereby amended to read as follows:
2 422.2718 1. The Director shall include in the State Plan for
3 Medicaid a requirement that the State shall pay the nonfederal share
4 of expenses incurred for ~~administering~~ :

5 (a) *Testing for human papillomavirus; and*

6 (b) *Administering* the human papillomavirus vaccine ~~to women~~
7 ~~and girls~~ at such ages as recommended for vaccination by a
8 competent authority, including, without limitation, the Centers for
9 Disease Control and Prevention of the United States Department of
10 Health and Human Services, the Food and Drug Administration or
11 the manufacturer of the vaccine.

12 2. For the purposes of this section, "human papillomavirus
13 vaccine" means the Quadrivalent Human Papillomavirus
14 Recombinant Vaccine or its successor which is approved by the
15 Food and Drug Administration to be used for the prevention of
16 human papillomavirus infection and cervical cancer.

17 **Sec. 7.5.** NRS 422.401 is hereby amended to read as follows:

18 422.401 As used in NRS 422.401 to 422.406, inclusive, *and*
19 *section 1.5 of this act*, unless the context otherwise requires, the
20 words and terms defined in NRS 422.4015 and 422.402 have the
21 meanings ascribed to them in those sections.

22 **Sec. 8.** NRS 422.403 is hereby amended to read as follows:

23 422.403 1. ~~The~~ *Except as otherwise provided in NRS*
24 *422.2718, the* Department shall, by regulation, establish and manage
25 the use by the Medicaid program of step therapy and prior
26 authorization for prescription drugs.

27 2. ~~The~~ *Except as otherwise provided in NRS 422.2718, the*
28 Drug Use Review Board shall:

29 (a) Advise the Department concerning the use by the Medicaid
30 program of step therapy and prior authorization for prescription
31 drugs;

32 (b) Develop step therapy protocols and prior authorization
33 policies and procedures for use by the Medicaid program for
34 prescription drugs; and

35 (c) Review and approve, based on clinical evidence and best
36 clinical practice guidelines and without consideration of the cost of
37 the prescription drugs being considered, step therapy protocols used
38 by the Medicaid program for prescription drugs.

39 3. The Department shall not require the Drug Use Review
40 Board to develop, review or approve prior authorization policies or
41 procedures necessary for the operation of the list of preferred
42 prescription drugs developed for the Medicaid program pursuant to
43 NRS 422.4025.

44 4. The Department shall accept recommendations from the
45 Drug Use Review Board as the basis for developing or revising step



1 therapy protocols and prior authorization policies and procedures
2 used by the Medicaid program for prescription drugs.

3 **Sec. 9.** NRS 287.010 is hereby amended to read as follows:

4 287.010 1. The governing body of any county, school
5 district, municipal corporation, political subdivision, public
6 corporation or other local governmental agency of the State of
7 Nevada may:

8 (a) Adopt and carry into effect a system of group life, accident
9 or health insurance, or any combination thereof, for the benefit of its
10 officers and employees, and the dependents of officers and
11 employees who elect to accept the insurance and who, where
12 necessary, have authorized the governing body to make deductions
13 from their compensation for the payment of premiums on the
14 insurance.

15 (b) Purchase group policies of life, accident or health insurance,
16 or any combination thereof, for the benefit of such officers and
17 employees, and the dependents of such officers and employees, as
18 have authorized the purchase, from insurance companies authorized
19 to transact the business of such insurance in the State of Nevada,
20 and, where necessary, deduct from the compensation of officers and
21 employees the premiums upon insurance and pay the deductions
22 upon the premiums.

23 (c) Provide group life, accident or health coverage through a
24 self-insurance reserve fund and, where necessary, deduct
25 contributions to the maintenance of the fund from the compensation
26 of officers and employees and pay the deductions into the fund. The
27 money accumulated for this purpose through deductions from the
28 compensation of officers and employees and contributions of the
29 governing body must be maintained as an internal service fund as
30 defined by NRS 354.543. The money must be deposited in a state or
31 national bank or credit union authorized to transact business in the
32 State of Nevada. Any independent administrator of a fund created
33 under this section is subject to the licensing requirements of chapter
34 683A of NRS, and must be a resident of this State. Any contract
35 with an independent administrator must be approved by the
36 Commissioner of Insurance as to the reasonableness of
37 administrative charges in relation to contributions collected and
38 benefits provided. The provisions of NRS 687B.408, 689B.030 to
39 689B.050, inclusive, *and sections 25 to 28, inclusive, of this act*
40 *and 689B.287 and 689B.500 and 689B.520* apply to coverage
41 provided pursuant to this paragraph **H**, *except that the provisions*
42 *of NRS 689B.500 and 689B.520 and sections 25 to 28, inclusive,*
43 *of this act only apply to coverage for active officers and*
44 *employees of the governing body or the dependents of such*
45 *officers and employees.*



1 (d) Defray part or all of the cost of maintenance of a self-
2 insurance fund or of the premiums upon insurance. The money for
3 contributions must be budgeted for in accordance with the laws
4 governing the county, school district, municipal corporation,
5 political subdivision, public corporation or other local governmental
6 agency of the State of Nevada.

7 2. If a school district offers group insurance to its officers and
8 employees pursuant to this section, members of the board of trustees
9 of the school district must not be excluded from participating in the
10 group insurance. If the amount of the deductions from compensation
11 required to pay for the group insurance exceeds the compensation to
12 which a trustee is entitled, the difference must be paid by the trustee.

13 3. In any county in which a legal services organization exists,
14 the governing body of the county, or of any school district,
15 municipal corporation, political subdivision, public corporation or
16 other local governmental agency of the State of Nevada in the
17 county, may enter into a contract with the legal services
18 organization pursuant to which the officers and employees of the
19 legal services organization, and the dependents of those officers and
20 employees, are eligible for any life, accident or health insurance
21 provided pursuant to this section to the officers and employees, and
22 the dependents of the officers and employees, of the county, school
23 district, municipal corporation, political subdivision, public
24 corporation or other local governmental agency.

25 4. If a contract is entered into pursuant to subsection 3, the
26 officers and employees of the legal services organization:

27 (a) Shall be deemed, solely for the purposes of this section, to be
28 officers and employees of the county, school district, municipal
29 corporation, political subdivision, public corporation or other local
30 governmental agency with which the legal services organization has
31 contracted; and

32 (b) Must be required by the contract to pay the premiums or
33 contributions for all insurance which they elect to accept or of which
34 they authorize the purchase.

35 5. A contract that is entered into pursuant to subsection 3:

36 (a) Must be submitted to the Commissioner of Insurance for
37 approval not less than 30 days before the date on which the contract
38 is to become effective.

39 (b) Does not become effective unless approved by the
40 Commissioner.

41 (c) Shall be deemed to be approved if not disapproved by the
42 Commissioner within 30 days after its submission.

43 6. As used in this section, "legal services organization" means
44 an organization that operates a program for legal aid and receives
45 money pursuant to NRS 19.031.



1 **Sec. 9.5.** NRS 287.0272 is hereby amended to read as follows:

2 287.0272 1. If the governing body of any county, school
3 district, municipal corporation, political subdivision, public
4 corporation or other local governmental agency of the State of
5 Nevada provides health insurance through a plan of self-insurance,
6 the plan must provide coverage for benefits payable for expenses
7 incurred for administering the human papillomavirus vaccine ~~to~~
8 ~~women and girls~~ at such ages as recommended for vaccination by a
9 competent authority, including, without limitation, the Centers for
10 Disease Control and Prevention of the United States Department of
11 Health and Human Services, the Food and Drug Administration or
12 the manufacturer of the vaccine.

13 2. The plan of self-insurance must not require an insured to
14 obtain prior authorization for any service provided pursuant to
15 subsection 1.

16 3. A plan of self-insurance described in subsection 1 which is
17 delivered, issued for delivery or renewed on or after July 1, 2007,
18 has the legal effect of including the coverage required by subsection
19 1, and any provision of the plan which is in conflict with subsection
20 1 is void.

21 4. For the purposes of this section, “human papillomavirus
22 vaccine” means the Quadrivalent Human Papillomavirus
23 Recombinant Vaccine or its successor which is approved by the
24 Food and Drug Administration for the prevention of human
25 papillomavirus infection and cervical cancer.

26 **Sec. 10.** NRS 287.04335 is hereby amended to read as
27 follows:

28 287.04335 If the Board provides health insurance through a
29 plan of self-insurance, it shall comply with the provisions of NRS
30 689B.255, 695G.150, 695G.160, 695G.162, 695G.164, 695G.1645,
31 695G.1665, 695G.167, 695G.170 to 695G.173, inclusive, 695G.177,
32 695G.200 to 695G.230, inclusive, 695G.241 to 695G.310, inclusive,
33 and 695G.405, *and sections 83 to 89, inclusive, of this act*, in the
34 same manner as an insurer that is licensed pursuant to title 57 of
35 NRS is required to comply with those provisions.

36 **Sec. 11.** Chapter 629 of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 1. *Except as otherwise provided in subsection 2, a provider of*
39 *health care shall not discriminate in providing a health care*
40 *service to a person on the basis of race, color, national origin, sex,*
41 *age, physical or mental disability, sexual orientation or gender*
42 *identity or expression.*

43 2. *A provider of health care may make distinctions in*
44 *providing health care services based on sex or gender identity or*
45 *expression if the provider has an exceedingly persuasive*



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1 *justification for the distinction, which may include, without*
2 *limitation, that the distinction is substantially related to the*
3 *achievement of an important health or scientific objective.*

4 3. *A provider of health care must provide reasonable notice to*
5 *a person who receives health care services relating to the*
6 *provisions of this section.*

7 4. *A provider of health care must take reasonable steps to*
8 *ensure that a person with limited English proficiency or physical*
9 *or mental disabilities who receives health care services from the*
10 *provider has access to any assistance services which may be*
11 *needed for the person to communicate effectively with the*
12 *provider.*

13 5. *As used in this section:*

14 (a) *“Gender identity or expression” has the meaning ascribed*
15 *to it in NRS 193.0148.*

16 (b) *“Health care service” means the care and observation of*
17 *patients, the diagnosis of human diseases, the treatment and*
18 *rehabilitation of patients, or related services.*

19 (c) *“Sexual orientation” has the meaning ascribed to it in*
20 *NRS 118.093.*

21 **Sec. 11.3.** Chapter 639 of NRS is hereby amended by adding
22 thereto a new section to read as follows:

23 1. *Except as otherwise provided in subsections 2 and 3,*
24 *pursuant to a valid prescription or order for a drug to be used for*
25 *contraception or its therapeutic equivalent which has been*
26 *approved by the Food and Drug Administration a pharmacist*
27 *shall:*

28 (a) *The first time dispensing the drug or therapeutic equivalent*
29 *to the patient, dispense up to a 3-month supply of the drug or*
30 *therapeutic equivalent.*

31 (b) *The second time dispensing the drug or therapeutic*
32 *equivalent to the patient, dispense up to a 9-month supply of the*
33 *drug or therapeutic equivalent, or any amount which covers the*
34 *remainder of the plan year if the patient is covered by a health*
35 *care plan, whichever is less.*

36 (c) *For a refill in a plan year following the initial dispensing of*
37 *a drug or therapeutic equivalent pursuant to paragraphs (a) and*
38 *(b), dispense up to a 12-month supply of the drug or therapeutic*
39 *equivalent or any amount which covers the remainder of the plan*
40 *year if the patient is covered by a health care plan, whichever is*
41 *less.*

42 2. *The provisions of paragraphs (b) and (c) of subsection 1*
43 *only apply if:*

44 (a) *The drug for contraception or the therapeutic equivalent of*
45 *such drug is the same drug or therapeutic equivalent which was*



1 *previously prescribed or ordered pursuant to paragraph (a) of*
2 *subsection 1; and*

3 *(b) The patient is covered by the same health care plan.*

4 *3. If a prescription or order for a drug for contraception or its*
5 *therapeutic equivalent limits the dispensing of the drug or*
6 *therapeutic equivalent to a quantity which is less than the amount*
7 *otherwise authorized to be dispensed pursuant to subsection 1, the*
8 *pharmacist must dispense the drug or therapeutic equivalent in*
9 *accordance with the quantity specified in the prescription or order.*

10 *4. As used in this section:*

11 *(a) "Health care plan" means a policy, contract, certificate or*
12 *agreement offered or issued by an insurer, including without*
13 *limitation, the State Plan for Medicaid, to provide, deliver, arrange*
14 *for, pay for or reimburse any of the costs of health care services.*

15 *(b) "Plan year" means the year designated in the evidence of*
16 *coverage of a health care plan in which a person is covered by*
17 *such plan.*

18 *(c) "Therapeutic equivalent" means a drug which:*

19 *(1) Contains an identical amount of the same active*
20 *ingredients in the same dosage and method of administration as*
21 *another drug;*

22 *(2) Is expected to have the same clinical effect when*
23 *administered to a patient pursuant to a prescription or order as*
24 *another drug; and*

25 *(3) Meets any other criteria required by the Food and Drug*
26 *Administration for classification as a therapeutic equivalent.*

27 **Sec. 11.6.** NRS 639.2396 is hereby amended to read as
28 follows:

29 639.2396 1. Except as otherwise provided by subsection 2, a
30 prescription which bears specific authorization to refill, given by the
31 prescribing practitioner at the time he or she issued the original
32 prescription, or a prescription which bears authorization permitting
33 the pharmacist to refill the prescription as needed by the patient,
34 may be refilled for the number of times authorized or for the period
35 authorized if it was refilled in accordance with the number of doses
36 ordered and the directions for use.

37 2. ~~1A~~ *Except as otherwise provided in section 11.3 of this act,*
38 *a pharmacist may, in his or her professional judgment and pursuant*
39 *to a valid prescription that specifies an initial amount of less than a*
40 *90-day supply of a drug other than a controlled substance followed*
41 *by periodic refills of the initial amount of the drug, dispense not*
42 *more than a 90-day supply of the drug if:*

43 *(a) The patient has used an initial 30-day supply of the drug or*
44 *the drug has previously been prescribed to the patient in a 90-day*
45 *supply;*



1 (b) The total number of dosage units that are dispensed pursuant
2 to the prescription does not exceed the total number of dosage units,
3 including refills, that are authorized on the prescription by the
4 prescribing practitioner; and

5 (c) The prescribing practitioner has not specified on the
6 prescription that dispensing the prescription in an initial amount of
7 less than a 90-day supply followed by periodic refills of the initial
8 amount of the drug is medically necessary.

9 3. Nothing in this section shall be construed to alter the
10 coverage provided under any contract or policy of health insurance,
11 health plan or program or other agreement arrangement that
12 provides health coverage.

13 **Sec. 12.** Chapter 679A of NRS is hereby amended by adding
14 thereto a new section to read as follows:

15 *1. Except as otherwise provided in subsection 2, an insurer*
16 *who offers a policy of health insurance shall not refuse to provide*
17 *coverage to or discriminate against a person based on race, color,*
18 *national origin, sex, age, physical or mental disability, sexual*
19 *orientation or gender identity or expression. Such discriminatory*
20 *actions include, without limitation:*

21 *(a) Cancelling a policy;*

22 *(b) Refusing to provide a benefit which is available under a*
23 *policy to other similarly situated persons;*

24 *(c) Limiting coverage of a claim; or*

25 *(d) Imposing an additional deductible, premium, copay,*
26 *coinsurance or any other limitation or restriction on coverage.*

27 *2. An insurer may include distinctions in a policy of health*
28 *insurance based on sex or gender identity or expression if*
29 *the insurer has an exceedingly persuasive justification for the*
30 *distinction, which may include, without limitation, that the*
31 *distinction is substantially related to the achievement of an*
32 *important health or scientific objective.*

33 *3. An insurer must provide reasonable notice to an insured*
34 *relating to the provisions of this section.*

35 *4. An insurer must take reasonable steps to ensure that an*
36 *insured with limited English proficiency or physical or mental*
37 *disabilities has access to any assistance services which may be*
38 *needed for the insured to communicate effectively with the*
39 *insurer.*

40 *5. Nothing in this section may be construed as preventing an*
41 *insurer from determining whether a benefit is medically necessary*
42 *or whether any such benefit meets any other requirement for*
43 *coverage included in a policy of health insurance which is not*
44 *prohibited by this section or any other provision of law.*

45 *6. As used in this section:*



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1 (a) *“Gender identity or expression” has the meaning ascribed*
2 *to it in NRS 193.0148.*

3 (b) *“Sexual orientation” has the meaning ascribed to it in*
4 *NRS 118.093.*

5 **Sec. 13.** NRS 687B.225 is hereby amended to read as follows:

6 687B.225 1. Except as otherwise provided in NRS
7 689A.0405, 689A.0413, 689A.044, 689A.0445, 689B.031,
8 689B.0313, 689B.0317, 689B.0374, 695B.1912, 695B.1914,
9 695B.1925, 695B.1942, 695C.1713, 695C.1735, 695C.1745,
10 695C.1751, 695G.170, 695G.171 and 695G.177, *and sections 38,*
11 *39, 54, 55 and 89 of this act,* any contract for group, blanket or
12 individual health insurance or any contract by a nonprofit hospital,
13 medical or dental service corporation or organization for dental care
14 which provides for payment of a certain part of medical or dental
15 care may require the insured or member to obtain prior authorization
16 for that care from the insurer or organization. The insurer or
17 organization shall:

18 (a) File its procedure for obtaining approval of care pursuant to
19 this section for approval by the Commissioner; and

20 (b) Respond to any request for approval by the insured or
21 member pursuant to this section within 20 days after it receives the
22 request.

23 2. The procedure for prior authorization may not discriminate
24 among persons licensed to provide the covered care.

25 **Sec. 14.** Chapter 689A of NRS is hereby amended by adding
26 thereto the provisions set forth as sections 15 to 19, inclusive, of this
27 act.

28 **Sec. 15. 1.** *An insurer shall offer or issue a policy of health*
29 *insurance to any person regardless of the health status of the*
30 *person or any dependent of the person. Such health status*
31 *includes, without limitation:*

32 (a) *Any preexisting medical condition of the person, including,*
33 *without limitation, any physical or mental illness;*

34 (b) *The claims history of the person, including, without*
35 *limitation, any prior health care services received by the person;*

36 (c) *Genetic information relating to the person; and*

37 (d) *Any increased risk for illness, injury or any other medical*
38 *condition of the person, including, without limitation, any medical*
39 *condition caused by an act of domestic violence.*

40 2. *An insurer that offers or issues a policy of health*
41 *insurance shall not:*

42 (a) *Deny, limit or exclude a benefit based on the health status*
43 *of an insured; or*

44 (b) *Require an insured, as a condition of enrollment or*
45 *renewal, to pay a premium, deductible, copay or coinsurance*



1 based on his or her health status which is greater than the
2 premium, deductible, copay or coinsurance charged to a similarly
3 situated insured or the covered dependent of such an insured who
4 does not have such a health status.

5 3. An insurer that offers or issues a policy of health
6 insurance shall not adjust a premium, deductible, copay or
7 coinsurance for any insured on the basis of genetic information
8 relating to the insured or the covered dependent of the insured.

9 **Sec. 16.** 1. An insurer that offers or issues a policy of
10 health insurance which provides coverage for dependent children
11 shall continue to make such coverage available for an adult child
12 of an insured until such child reaches 26 years of age.

13 2. Nothing in this section shall be construed as requiring an
14 insurer to make coverage available for a dependent of an adult
15 child of an insured.

16 **Sec. 16.5.** 1. Except as otherwise provided in subsection 7,
17 an insurer that offers or issues a policy of health insurance shall
18 include in the policy coverage for:

19 (a) Up to a 12-month supply, per prescription, of any type of
20 drug for contraception or its therapeutic equivalent which is:

- 21 (1) Lawfully prescribed or ordered;
- 22 (2) Approved by the Food and Drug Administration;
- 23 (3) Listed in subsection 10; and
- 24 (4) Dispensed in accordance with section 11.3 of this act;

25 (b) Any type of device for contraception which is:

- 26 (1) Lawfully prescribed or ordered;
- 27 (2) Approved by the Food and Drug Administration; and
- 28 (3) Listed in subsection 10;

29 (c) Insertion of a device for contraception or removal of such a
30 device if the device was inserted while the insured was covered by
31 the same policy of health insurance;

32 (d) Education and counseling relating to the initiation of the
33 use of contraception and any necessary follow-up after initiating
34 such use;

35 (e) Management of side effects relating to contraception; and

36 (f) Voluntary sterilization for women.

37 2. An insurer must ensure that the benefits required by
38 subsection 1 are made available to an insured through a provider
39 of health care who participates in the network plan of the insurer.

40 3. If a covered therapeutic equivalent listed in subsection 1 is
41 not available or a provider of health care deems a covered
42 therapeutic equivalent to be medically inappropriate, an alternate
43 therapeutic equivalent prescribed by a provider of health care
44 must be covered by the insurer.



1 4. *Except as otherwise provided in subsections 8, 9 and 11, an*
2 *insurer that offers or issues a policy of health insurance shall not:*

3 (a) *Require an insured to pay a higher deductible, any*
4 *copayment or coinsurance or require a longer waiting period or*
5 *other condition for coverage to obtain any benefit included in the*
6 *policy pursuant to subsection 1;*

7 (b) *Refuse to issue a policy of health insurance or cancel a*
8 *policy of health insurance solely because the person applying for*
9 *or covered by the policy uses or may use any such benefit;*

10 (c) *Offer or pay any type of material inducement or financial*
11 *incentive to an insured to discourage the insured from obtaining*
12 *any such benefit;*

13 (d) *Penalize a provider of health care who provides any such*
14 *benefit to an insured, including, without limitation, reducing the*
15 *reimbursement of the provider of health care;*

16 (e) *Offer or pay any type of material inducement, bonus or*
17 *other financial incentive to a provider of health care to deny,*
18 *reduce, withhold, limit or delay access to any such benefit to an*
19 *insured; or*

20 (f) *Impose any other restrictions or delays on the access of an*
21 *insured to any such benefit.*

22 5. *Coverage pursuant to this section for the covered*
23 *dependent of an insured must be the same as for the insured.*

24 6. *Except as otherwise provided in subsection 7, a policy*
25 *subject to the provisions of this chapter that is delivered, issued for*
26 *delivery or renewed on or after January 1, 2018, has the legal*
27 *effect of including the coverage required by subsection 1, and any*
28 *provision of the policy or the renewal which is in conflict with this*
29 *section is void.*

30 7. *An insurer that offers or issues a policy of health*
31 *insurance and which is affiliated with a religious organization is*
32 *not required to provide the coverage required by subsection 1 if*
33 *the insurer objects on religious grounds. Such an insurer shall,*
34 *before the issuance of a policy of health insurance and before the*
35 *renewal of such a policy, provide to the prospective insured written*
36 *notice of the coverage that the insurer refuses to provide pursuant*
37 *to this subsection.*

38 8. *An insurer may require an insured to pay a higher*
39 *deductible, copayment or coinsurance for a drug for contraception*
40 *if the insured refuses to accept a therapeutic equivalent of the*
41 *drug.*

42 9. *For each of the 18 methods of contraception listed in*
43 *subsection 10 that have been approved by the Food and Drug*
44 *Administration, a policy of health insurance must include at least*
45 *one drug or device for contraception within each method for*



1 *which no deductible, copayment or coinsurance may be charged to*
2 *the insured, but the insurer may charge a deductible, copayment*
3 *or coinsurance for any other drug or device that provides the same*
4 *method of contraception.*

5 *10. The following 18 methods of contraception must be*
6 *covered pursuant to this section:*

- 7 *(a) Voluntary sterilization for women;*
- 8 *(b) Surgical sterilization implants for women;*
- 9 *(c) Implantable rods;*
- 10 *(d) Copper-based intrauterine devices;*
- 11 *(e) Progesterone-based intrauterine devices;*
- 12 *(f) Injections;*
- 13 *(g) Combined estrogen- and progestin-based drugs;*
- 14 *(h) Progestin-based drugs;*
- 15 *(i) Extended- or continuous-regimen drugs;*
- 16 *(j) Estrogen- and progestin-based patches;*
- 17 *(k) Vaginal contraceptive rings;*
- 18 *(l) Diaphragms with spermicide;*
- 19 *(m) Sponges with spermicide;*
- 20 *(n) Cervical caps with spermicide;*
- 21 *(o) Female condoms;*
- 22 *(p) Spermicide;*
- 23 *(q) Combined estrogen- and progestin-based drugs for*
24 *emergency contraception or progestin-based drugs for emergency*
25 *contraception; and*
- 26 *(r) Ulipristal acetate for emergency contraception.*

27 *11. Except as otherwise provided in this section and federal*
28 *law, an insurer may use medical management techniques,*
29 *including, without limitation, any available clinical evidence, to*
30 *determine the frequency of or treatment relating to any benefit*
31 *required by this section or the type of provider of health care to*
32 *use for such treatment.*

33 *12. An insurer shall not use medical management techniques*
34 *to require an insured to use a method of contraception other than*
35 *the method prescribed or ordered by a provider of health care.*

36 *13. An insurer must provide an accessible, transparent and*
37 *expedited process which is not unduly burdensome by which an*
38 *insured, or the authorized representative of the insured, may*
39 *request an exception relating to any medical management*
40 *technique used by the insurer to obtain any benefit required by*
41 *this section without a higher deductible, copayment or*
42 *coinsurance.*

43 *14. As used in this section:*

44 *(a) "Medical management technique" means a practice which*
45 *is used to control the cost or utilization of health care services or*



1 *prescription drug use. The term includes, without limitation, the*
2 *use of step therapy, prior authorization or categorizing drugs and*
3 *devices based on cost, type or method of administration.*

4 (b) *“Network plan” means a policy of health insurance offered*
5 *by an insurer under which the financing and delivery of medical*
6 *care, including items and services paid for as medical care, are*
7 *provided, in whole or in part, through a defined set of providers of*
8 *health care under contract with the insurer. The term does not*
9 *include an arrangement for the financing of premiums.*

10 (c) *“Provider of health care” has the meaning ascribed to it in*
11 *NRS 629.031.*

12 (d) *“Therapeutic equivalent” means a drug which:*

13 (1) *Contains an identical amount of the same active*
14 *ingredients in the same dosage and method of administration as*
15 *another drug;*

16 (2) *Is expected to have the same clinical effect when*
17 *administered to a patient pursuant to a prescription or order as*
18 *another drug; and*

19 (3) *Meets any other criteria required by the Food and Drug*
20 *Administration for classification as a therapeutic equivalent.*

21 **Sec. 17. 1.** *An insurer that offers or issues a policy of*
22 *health insurance shall include in the policy coverage for:*

23 (a) *Counseling and support for breastfeeding, including*
24 *breastfeeding equipment, counseling and education during the*
25 *antenatal, perinatal and postpartum period for not more than 1*
26 *year;*

27 (b) *Screening and counseling for interpersonal and domestic*
28 *violence for women at least annually, with initial intervention*
29 *services consisting of education, strategies to reduce harm,*
30 *supportive services or a referral for any other appropriate*
31 *services;*

32 (c) *Behavioral counseling concerning sexually transmitted*
33 *diseases from a provider of health care for sexually active women*
34 *who are at increased risk for such diseases;*

35 (d) *Such prenatal screenings and tests as recommended by the*
36 *American College of Obstetricians and Gynecologists or its*
37 *successor organization;*

38 (e) *Screening for blood pressure abnormalities and diabetes,*
39 *including gestational diabetes, after at least 24 weeks of gestation*
40 *or as ordered by a provider of health care;*

41 (f) *Screening for cervical cancer at such intervals as are*
42 *recommended by the American College of Obstetricians and*
43 *Gynecologists or its successor organization;*

44 (g) *Such well-woman preventive visits as recommended by the*
45 *Health Resources and Services Administration, which must*



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1 *include at least one such visit per year beginning at 14 years of*
2 *age;*

3 *(h) A daily dose of 0.4 to 0.8 milligrams of folic acid for*
4 *women who are capable of becoming pregnant;*

5 *(i) Aspirin for the prevention of preeclampsia for women who*
6 *are determined to be at a high risk of that condition after 12 weeks*
7 *of gestation;*

8 *(j) Medication to prevent breast cancer for women who are at*
9 *a high risk of developing breast cancer and have a low risk of*
10 *adverse side effects from the medication; and*

11 *(k) Prophylactic ocular tubal medication for the prevention of*
12 *gonococcal ophthalmia in newborns.*

13 *2. An insurer must ensure that the benefits required by*
14 *subsection 1 are made available to an insured through a provider*
15 *of health care who participates in the network plan of the insurer.*

16 *3. Except as otherwise provided in subsection 5, an insurer*
17 *that offers or issues a policy of health insurance shall not:*

18 *(a) Require an insured to pay a higher deductible, any*
19 *copayment or coinsurance or require a longer waiting period or*
20 *other condition to obtain any benefit provided in the policy of*
21 *health insurance pursuant to subsection 1;*

22 *(b) Refuse to issue a policy of health insurance or cancel a*
23 *policy of health insurance solely because the person applying for*
24 *or covered by the policy uses or may use a benefit provided in the*
25 *policy of health insurance pursuant to subsection 1;*

26 *(c) Offer or pay any type of material inducement or financial*
27 *incentive to an insured to discourage the insured from obtaining*
28 *any such benefit;*

29 *(d) Penalize a provider of health care who provides any such*
30 *benefit to an insured, including, without limitation, reducing the*
31 *reimbursement of the provider of health care;*

32 *(e) Offer or pay any type of material inducement, bonus or*
33 *other financial incentive to a provider of health care to deny,*
34 *reduce, withhold, limit or delay access to any such benefit to an*
35 *insured; or*

36 *(f) Impose any other restrictions or delays on the access of an*
37 *insured to any such benefit.*

38 *4. A policy of health insurance subject to the provisions of*
39 *this chapter that is delivered, issued for delivery or renewed on or*
40 *after January 1, 2018, has the legal effect of including the*
41 *coverage required by subsection 1, and any provision of the policy*
42 *or the renewal which is in conflict with this section is void.*

43 *5. Except as otherwise provided in this section and federal*
44 *law, an insurer may use medical management techniques,*
45 *including, without limitation, any available clinical evidence, to*



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1 *determine the frequency of or treatment relating to any benefit*
2 *required by this section or the type of provider of health care to*
3 *use for such treatment.*

4 *6. As used in this section:*

5 *(a) "Medical management technique" means a practice which*
6 *is used to control the cost or utilization of health care services or*
7 *prescription drug use. The term includes, without limitation, the*
8 *use of step therapy, prior authorization or categorizing drugs and*
9 *devices based on cost, type or method of administration.*

10 *(b) "Network plan" means a policy of health insurance offered*
11 *by an insurer under which the financing and delivery of medical*
12 *care, including items and services paid for as medical care, are*
13 *provided, in whole or in part, through a defined set of providers of*
14 *health care under contract with the insurer. The term does not*
15 *include an arrangement for the financing of premiums.*

16 *(c) "Provider of health care" has the meaning ascribed to it in*
17 *NRS 629.031.*

18 **Sec. 18. 1.** *An insurer that offers or issues a policy of*
19 *health insurance shall include in the policy coverage for:*

20 *(a) Counseling relating to the dietary needs of adults who are*
21 *at a high risk of chronic diseases;*

22 *(b) Statin preventive medication for persons between the ages*
23 *of 40 and 75 years who do not have a history of cardiovascular*
24 *disease, but who have:*

25 *(1) One or more risk factors for cardiovascular disease;*
26 *and*

27 *(2) A calculated risk of at least 10 percent of acquiring*
28 *cardiovascular disease within the next 10 years;*

29 *(c) Aspirin for persons between the ages of 50 and 59 years*
30 *who have a calculated risk of at least 10 percent of acquiring*
31 *cardiovascular disease within the next 10 years and a life*
32 *expectancy of at least 10 years;*

33 *(d) Vitamin D supplements for persons who are at least 65*
34 *years of age to prevent the person from falling if the person:*

35 *(1) Does not reside in a medical facility or a facility for the*
36 *dependent; and*

37 *(2) Has an increased risk of falls;*

38 *(e) Tuberculosis screenings for latent tuberculosis infection in*
39 *persons with increased risk of contracting tuberculosis;*

40 *(f) Screening for high blood pressure to confirm a diagnosis*
41 *made outside a clinical setting before treatment is commenced;*

42 *(g) One abdominal aortic screening by ultrasound to detect*
43 *abdominal aortic aneurisms for men between the ages of 65 and*
44 *75 years who have smoked during their lifetimes;*



1 (h) Screening for hepatitis B infection for persons who are at a
2 high risk of contracting hepatitis B;

3 (i) Screening for hepatitis C infection for persons who are at a
4 high risk of contracting hepatitis C;

5 (j) One screening for hepatitis C infection for persons born
6 between 1945 and 1965;

7 (k) Screening for osteoporosis for women who:

8 (1) Are 65 years of age and older; or

9 (2) Have a risk of fracturing a bone equal to or greater
10 than that of a woman who is 65 years of age without any
11 additional risk factors;

12 (l) Screening for alcohol misuse for persons 18 years of age or
13 older;

14 (m) If a person engages in risky or hazardous consumption of
15 alcohol, as determined by the screening described in paragraph
16 (l), behavioral counseling to reduce such behavior; and

17 (n) Screening for lung cancer using low-dose computed
18 tomography for persons between the ages of 55 and 80 years who:

19 (1) Have a smoking history of 30 pack-years;

20 (2) Smoke or have stopped smoking within the immediately
21 preceding 15 years; and

22 (3) Do not suffer from a health problem that substantially
23 limits the life expectancy of the person or the willingness of the
24 person to undergo curative surgery.

25 2. An insurer must ensure that the benefits required by
26 subsection 1 are made available to an insured through a provider
27 of health care who participates in the network plan of the insurer.

28 3. Except as otherwise provided in subsection 5, an insurer
29 that offers or issues a policy of health insurance shall not:

30 (a) Require an insured to pay a higher deductible, any
31 copayment or coinsurance or require a longer waiting period or
32 other condition to obtain any benefit provided in the policy of
33 health insurance pursuant to subsection 1;

34 (b) Refuse to issue a policy of health insurance or cancel a
35 policy of health insurance solely because the person applying for
36 or covered by the policy uses or may use a benefit provided in the
37 policy of health insurance pursuant to subsection 1;

38 (c) Offer or pay any type of material inducement or financial
39 incentive to an insured to discourage the insured from obtaining
40 any such benefit;

41 (d) Penalize a provider of health care who provides any such
42 benefit to an insured, including, without limitation, reducing the
43 reimbursement of the provider of health care;

44 (e) Offer or pay any type of material inducement, bonus or
45 other financial incentive to a provider of health care to deny,



1 *reduce, withhold, limit or delay access to any such benefit to an*
2 *insured; or*

3 *(f) Impose any other restrictions or delays on the access of an*
4 *insured to any such benefit.*

5 *4. A policy of health insurance subject to the provisions of*
6 *this chapter that is delivered, issued for delivery or renewed on or*
7 *after January 1, 2018, has the legal effect of including the*
8 *coverage required by subsection 1, and any provision of the policy*
9 *or the renewal which is in conflict with this section is void.*

10 *5. Except as otherwise provided in this section and federal*
11 *law, an insurer may use medical management techniques,*
12 *including, without limitation, any available clinical evidence,*
13 *to determine the frequency of or treatment relating to any benefit*
14 *required by this section or the type of provider of health care to*
15 *use for such treatment.*

16 *6. As used in this section:*

17 *(a) "Computed tomography" means the process of producing*
18 *sectional and three-dimensional images using external ionizing*
19 *radiation.*

20 *(b) "Facility for the dependent" has the meaning ascribed to it*
21 *in NRS 449.0045.*

22 *(c) "Medical facility" has the meaning ascribed to it in*
23 *NRS 449.0151.*

24 *(d) "Medical management technique" means a practice which*
25 *is used to control the cost or utilization of health care services or*
26 *prescription drug use. The term includes, without limitation, the*
27 *use of step therapy, prior authorization or categorizing drugs and*
28 *devices based on cost, type or method of administration.*

29 *(e) "Network plan" means a policy of health insurance offered*
30 *by an insurer under which the financing and delivery of medical*
31 *care, including items and services paid for as medical care, are*
32 *provided, in whole or in part, through a defined set of providers of*
33 *health care under contract with the insurer. The term does not*
34 *include an arrangement for the financing of premiums.*

35 *(f) "Pack-year" means the product of the number of packs of*
36 *cigarettes smoked per day and the number of years that the person*
37 *has smoked.*

38 *(g) "Provider of health care" has the meaning ascribed to it in*
39 *NRS 629.031.*

40 **Sec. 19. 1. An insurer that offers or issues a policy of**
41 **health insurance shall include in the policy coverage for:**

42 **(a) Screening for depression;**

43 **(b) All vaccinations recommended by the Advisory Committee**
44 **on Immunization Practices of the Centers for Disease Control and**



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1 *Prevention of the United States Department of Health and Human*
2 *Services or its successor organization;*

3 (c) *Screening, tests and counseling for such other health*
4 *conditions and diseases as recommended by the Health Resources*
5 *and Services Administration for persons less than 18 years of age;*
6 *and*

7 (d) *Assessments relating to height, weight, body mass index*
8 *and medical history for persons less than 18 years of age.*

9 2. *An insurer must ensure that the benefits required by*
10 *subsection 1 are made available to an insured through a provider*
11 *of health care who participates in the network plan of the insurer.*

12 3. *Except as otherwise provided in subsection 5, an insurer*
13 *that offers or issues a policy of health insurance shall not:*

14 (a) *Require an insured to pay a higher deductible, any*
15 *copayment or coinsurance or require a longer waiting period or*
16 *other condition to obtain any benefit provided in the policy of*
17 *health insurance pursuant to subsection 1;*

18 (b) *Refuse to issue a policy of health insurance or cancel a*
19 *policy of health insurance solely because the person applying for*
20 *or covered by the policy uses or may use a benefit provided in the*
21 *policy of health insurance pursuant to subsection 1;*

22 (c) *Offer or pay any type of material inducement or financial*
23 *incentive to an insured to discourage the insured from obtaining*
24 *any such benefit;*

25 (d) *Penalize a provider of health care who provides any such*
26 *benefit to an insured, including, without limitation, reducing the*
27 *reimbursement of the provider of health care;*

28 (e) *Offer or pay any type of material inducement, bonus or*
29 *other financial incentive to a provider of health care to deny,*
30 *reduce, withhold, limit or delay access to any such benefit to an*
31 *insured; or*

32 (f) *Impose any other restrictions or delays on the access of an*
33 *insured to any such benefit.*

34 4. *A policy of health insurance subject to the provisions of*
35 *this chapter that is delivered, issued for delivery or renewed on or*
36 *after January 1, 2018, has the legal effect of including the*
37 *coverage required by subsection 1, and any provision of the policy*
38 *or the renewal which is in conflict with this section is void.*

39 5. *Except as otherwise provided in this section and federal*
40 *law, an insurer may use medical management techniques,*
41 *including, without limitation, any available clinical evidence, to*
42 *determine the frequency of or treatment relating to any benefit*
43 *required by this section or the type of provider of health care to*
44 *use for such treatment.*

45 6. *As used in this section:*



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1 (a) "Medical management technique" means a practice which
2 is used to control the cost or utilization of health care services or
3 prescription drug use. The term includes, without limitation, the
4 use of step therapy, prior authorization or categorizing drugs and
5 devices based on cost, type or method of administration.

6 (b) "Network plan" means a policy of health insurance offered
7 by an insurer under which the financing and delivery of medical
8 care, including items and services paid for as medical care, are
9 provided, in whole or in part, through a defined set of providers of
10 health care under contract with the insurer. The term does not
11 include an arrangement for the financing of premiums.

12 (c) "Provider of health care" has the meaning ascribed to it in
13 NRS 629.031.

14 **Sec. 20.** NRS 689A.0405 is hereby amended to read as
15 follows:

16 689A.0405 1. A policy of health insurance must provide
17 coverage for benefits payable for expenses incurred for:

18 (a) ~~†An annual cytologic screening test for women 18 years of~~
19 ~~age or older;~~

20 ~~—(b) A baseline mammogram for women between the ages of 35~~
21 ~~and 40; and~~

22 ~~—(c) An annual†~~ A mammogram every 2 years, or annually if
23 ordered by a provider of health care, for women 40 years of age or
24 older †;

25 (b) Counseling concerning genetic testing for breast cancer for
26 women who are at a high risk of developing breast cancer; and

27 (c) Counseling concerning breast cancer chemoprevention for
28 women who are at risk of developing breast cancer.

29 2. ~~†A policy of health insurance must not require an insured to~~
30 ~~obtain prior authorization for any service provided pursuant to~~
31 ~~subsection 1.†~~ An insurer must ensure that the benefits required by
32 subsection 1 are made available to an insured through a provider
33 of health care who participates in the network plan of the insurer.

34 3. Except as otherwise provided in subsection 5, an insurer
35 that offers or issues a policy of health insurance shall not:

36 (a) Require an insured to pay a higher deductible, any
37 copayment or coinsurance or require a longer waiting period or
38 other condition to obtain any benefit provided in the health benefit
39 plan pursuant to subsection 1;

40 (b) Refuse to issue a policy of health insurance or cancel a
41 policy of health insurance solely because the person applying for
42 or covered by the policy uses or may use a benefit provided in the
43 policy of health insurance pursuant to subsection 1;



1 (c) Offer or pay any type of material inducement or financial
2 incentive to an insured to discourage the insured from obtaining
3 any such benefit;

4 (d) Penalize a provider of health care who provides any such
5 benefit to an insured, including, without limitation, reducing the
6 reimbursement of the provider of health care;

7 (e) Offer or pay any type of material inducement, bonus or
8 other financial incentive to a provider of health care to deny,
9 reduce, withhold, limit or delay access to any such benefit to an
10 insured; or

11 (f) Impose any other restrictions or delays on the access of an
12 insured to any such benefit.

13 4. A policy subject to the provisions of this chapter which is
14 delivered, issued for delivery or renewed on or after ~~October 1,~~
15 ~~1989,~~ January 1, 2018, has the legal effect of including the
16 coverage required by subsection 1, and any provision of the policy
17 or the renewal which is in conflict with ~~subsection 1~~ this section is
18 void.

19 5. Except as otherwise provided in this section and federal
20 law, an insurer may use medical management techniques,
21 including, without limitation, any available clinical evidence, to
22 determine the frequency of or treatment relating to any benefit
23 required by this section or the type of provider of health care to
24 use for such treatment.

25 6. As used in this section:

26 (a) "Medical management technique" means a practice which
27 is used to control the cost or utilization of health care services or
28 prescription drug use. The term includes, without limitation, the
29 use of step therapy, prior authorization or categorizing drugs and
30 devices based on cost, type or method of administration.

31 (b) "Network plan" means a policy of health insurance offered
32 by an insurer under which the financing and delivery of medical
33 care, including items and services paid for as medical care, are
34 provided, in whole or in part, through a defined set of providers of
35 health care under contract with the insurer. The term does not
36 include an arrangement for the financing of premiums.

37 (c) "Provider of health care" has the meaning ascribed to it in
38 NRS 629.031.

39 **Sec. 20.3.** NRS 689A.0415 is hereby amended to read as
40 follows:

41 689A.0415 1. ~~Except as otherwise provided in subsection 5,~~
42 ~~an~~ An insurer that offers or issues a policy of health insurance
43 which provides coverage for prescription drugs or devices shall
44 include in the policy coverage for ~~1-~~

45 ~~—(a) Any type of drug or device for contraception; and~~



- 1 ~~—(b) Any~~ **any** type of hormone replacement therapy ~~f;~~
2 ~~→~~ which is lawfully prescribed or ordered and which has been
3 approved by the Food and Drug Administration.
- 4 2. An insurer that offers or issues a policy of health insurance
5 that provides coverage for prescription drugs shall not:
- 6 (a) Require an insured to pay a higher deductible, copayment or
7 coinsurance or require a longer waiting period or other condition for
8 coverage for a prescription for ~~—a contraceptive or—~~ hormone
9 replacement therapy than is required for other prescription drugs
10 covered by the policy;
- 11 (b) Refuse to issue a policy of health insurance or cancel a
12 policy of health insurance solely because the person applying for or
13 covered by the policy uses or may use in the future ~~—any of the~~
14 ~~services listed in subsection 1;~~ **hormone replacement therapy;**
- 15 (c) Offer or pay any type of material inducement or financial
16 incentive to an insured to discourage the insured from accessing
17 ~~—any of the services listed in subsection 1;~~ **hormone replacement**
18 **therapy;**
- 19 (d) Penalize a provider of health care who provides ~~—any of the~~
20 ~~services listed in subsection 1;~~ **hormone replacement therapy** to an
21 insured, including, without limitation, reducing the reimbursement
22 of the provider of health care; or
- 23 (e) Offer or pay any type of material inducement, bonus or other
24 financial incentive to a provider of health care to deny, reduce,
25 withhold, limit or delay ~~—any of the services listed in subsection 1;~~
26 **hormone replacement therapy** to an insured.
- 27 3. ~~—Except as otherwise provided in subsection 5, a~~ **A** policy
28 subject to the provisions of this chapter that is delivered, issued for
29 delivery or renewed on or after October 1, 1999, has the legal effect
30 of including the coverage required by subsection 1, and any
31 provision of the policy or the renewal which is in conflict with this
32 section is void.
- 33 4. The provisions of this section do not:
- 34 (a) Require an insurer to provide coverage for fertility drugs.
35 (b) Prohibit an insurer from requiring an insured to pay a
36 deductible, copayment or coinsurance for the coverage required by
37 ~~—paragraphs (a) and (b) of—~~ subsection 1 that is the same as the
38 insured is required to pay for other prescription drugs covered by the
39 policy.
- 40 5. ~~—An insurer which offers or issues a policy of health~~
41 ~~insurance and which is affiliated with a religious organization is not~~
42 ~~required to provide the coverage required by paragraph (a) of~~
43 ~~subsection 1 if the insurer objects on religious grounds. Such an~~
44 ~~insurer shall, before the issuance of a policy of health insurance and~~
45 ~~before the renewal of such a policy, provide to the prospective~~



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1 ~~insured, written notice of the coverage that the insurer refuses to~~
2 ~~provide pursuant to this subsection.~~

3 ~~—6.~~ As used in this section, “provider of health care” has the
4 meaning ascribed to it in NRS 629.031.

5 **Sec. 20.6.** NRS 689A.0417 is hereby amended to read as
6 follows:

7 689A.0417 1. ~~{Except as otherwise provided in subsection 5,~~
8 ~~and} An insurer that offers or issues a policy of health insurance
9 which provides coverage for outpatient care shall include in the
10 policy coverage for any health care service related to ~~{contraceptives~~
11 ~~or}~~ hormone replacement therapy.~~

12 2. An insurer that offers or issues a policy of health insurance
13 that provides coverage for outpatient care shall not:

14 (a) Require an insured to pay a higher deductible, copayment or
15 coinsurance or require a longer waiting period or other condition for
16 coverage for outpatient care related to ~~{contraceptives or}~~ hormone
17 replacement therapy than is required for other outpatient care
18 covered by the policy;

19 (b) Refuse to issue a policy of health insurance or cancel a
20 policy of health insurance solely because the person applying for or
21 covered by the policy uses or may use in the future ~~{any of the~~
22 ~~services listed in subsection 1;}~~ *hormone replacement therapy;*

23 (c) Offer or pay any type of material inducement or financial
24 incentive to an insured to discourage the insured from accessing
25 ~~{any of the services listed in subsection 1;}~~ *hormone replacement*
26 *therapy;*

27 (d) Penalize a provider of health care who provides ~~{any of the~~
28 ~~services listed in subsection 1;}~~ *hormone replacement therapy* to an
29 insured, including, without limitation, reducing the reimbursement
30 of the provider of health care; or

31 (e) Offer or pay any type of material inducement, bonus or other
32 financial incentive to a provider of health care to deny, reduce,
33 withhold, limit or delay ~~{any of the services listed in subsection 1;}~~
34 *hormone replacement therapy* to an insured.

35 3. ~~{Except as otherwise provided in subsection 5, a}~~ A policy
36 subject to the provisions of this chapter that is delivered, issued for
37 delivery or renewed on or after October 1, 1999, has the legal effect
38 of including the coverage required by subsection 1, and any
39 provision of the policy or the renewal which is in conflict with this
40 section is void.

41 4. The provisions of this section do not prohibit an insurer from
42 requiring an insured to pay a deductible, copayment or coinsurance
43 for the coverage required by subsection 1 that is the same as the
44 insured is required to pay for other outpatient care covered by the
45 policy.



1 5. ~~{An insurer which offers or issues such a policy of health~~
2 ~~insurance and which is affiliated with a religious organization is not~~
3 ~~required to provide the coverage for health care service related to~~
4 ~~contraceptives required by this section if the insurer objects on~~
5 ~~religious grounds. Such an insurer shall, before the issuance of a~~
6 ~~policy of health insurance and before the renewal of such a policy,~~
7 ~~provide to the prospective insured written notice of the coverage~~
8 ~~that the insurer refuses to provide pursuant to this subsection.~~

9 ~~—6.1~~ As used in this section, “provider of health care” has the
10 meaning ascribed to it in NRS 629.031.

11 **Sec. 21.** NRS 689A.0425 is hereby amended to read as
12 follows:

13 689A.0425 1. Except as otherwise provided in this
14 subsection, an individual health benefit plan issued pursuant to this
15 chapter ~~{that includes coverage for maternity care and pediatric care~~
16 ~~for newborn infants}~~ may not restrict benefits for any length of stay
17 in a hospital in connection with childbirth for a mother or newborn
18 infant covered by the plan to:

- 19 (a) Less than 48 hours after a normal vaginal delivery; and
- 20 (b) Less than 96 hours after a cesarean section.

21 ➔ If a different length of stay is provided in the guidelines
22 established by the American College of Obstetricians and
23 Gynecologists, or its successor organization, and the American
24 Academy of Pediatrics, or its successor organization, the individual
25 health benefit plan may follow such guidelines in lieu of following
26 the length of stay set forth above. The provisions of this subsection
27 do not apply to any individual health benefit plan in any case in
28 which the decision to discharge the mother or newborn infant before
29 the expiration of the minimum length of stay set forth in this
30 subsection is made by the attending physician of the mother or
31 newborn infant.

32 2. Nothing in this section requires a mother to:

- 33 (a) Deliver her baby in a hospital; or
- 34 (b) Stay in a hospital for a fixed period following the birth of her
35 child.

36 3. An individual health benefit plan ~~{that offers coverage for~~
37 ~~maternity care and pediatric care of newborn infants}~~ may not:

38 (a) Deny a mother or her newborn infant coverage or continued
39 coverage under the terms of the plan or coverage if the sole purpose
40 of the denial of coverage or continued coverage is to avoid the
41 requirements of this section;

42 (b) Provide monetary payments or rebates to a mother to
43 encourage her to accept less than the minimum protection available
44 pursuant to this section;



1 (c) Penalize, or otherwise reduce or limit, the reimbursement of
2 an attending provider of health care because the attending provider
3 of health care provided care to a mother or newborn infant in
4 accordance with the provisions of this section;

5 (d) Provide incentives of any kind to an attending physician to
6 induce the attending physician to provide care to a mother or
7 newborn infant in a manner that is inconsistent with the provisions
8 of this section; or

9 (e) Except as otherwise provided in subsection 4, restrict
10 benefits for any portion of a hospital stay required pursuant to the
11 provisions of this section in a manner that is less favorable than the
12 benefits provided for any preceding portion of that stay.

13 4. Nothing in this section:

14 (a) Prohibits an individual health benefit plan from imposing a
15 deductible, coinsurance or other mechanism for sharing costs
16 relating to benefits for hospital stays in connection with childbirth
17 for a mother or newborn child covered by the plan, except that such
18 coinsurance or other mechanism for sharing costs for any portion of
19 a hospital stay required by this section may not be greater than the
20 coinsurance or other mechanism for any preceding portion of that
21 stay.

22 (b) Prohibits an arrangement for payment between an individual
23 health benefit plan and a provider of health care that uses capitation
24 or other financial incentives, if the arrangement is designed to
25 provide services efficiently and consistently in the best interest of
26 the mother and her newborn infant.

27 (c) Prevents an individual health benefit plan from negotiating
28 with a provider of health care concerning the level and type of
29 reimbursement to be provided in accordance with this section.

30 *5. A policy of health insurance subject to the provisions of*
31 *this chapter that is delivered, issued for delivery or renewed on or*
32 *after January 1, 2018, has the legal effect of including the*
33 *coverage required by subsection 1, and any provision of the policy*
34 *or the renewal which is in conflict with this section is void.*

35 *6. As used in this section, "provider of health care" has the*
36 *meaning ascribed to it in NRS 629.031.*

37 **Sec. 22.** NRS 689A.044 is hereby amended to read as follows:

38 689A.044 1. A policy of health insurance must provide
39 coverage for benefits payable for expenses incurred for
40 ~~administering~~ :

41 (a) *Deoxyribonucleic acid testing for high-risk strains of the*
42 *human papillomavirus every 3 years for women 30 years of age or*
43 *older; and*

44 (b) *Administering* the human papillomavirus vaccine as
45 recommended for vaccination by a competent authority, including,



1 without limitation, the Centers for Disease Control and Prevention
2 of the United States Department of Health and Human Services, the
3 Food and Drug Administration or the manufacturer of the vaccine.

4 ~~2. [A policy of health insurance must not require an insured to~~
5 ~~obtain prior authorization for any service provided pursuant to~~
6 ~~subsection 1.] An insurer must ensure that the benefits required by~~
7 ~~subsection 1 are made available to an insured through a provider~~
8 ~~of health care who participates in the network plan of the insurer.~~

9 3. *Except as otherwise provided in subsection 5, an insurer*
10 *that offers or issues a policy of health insurance shall not:*

11 (a) *Require an insured to pay a higher deductible, any*
12 *copayment or coinsurance or require a longer waiting period or*
13 *other condition to obtain any benefit provided in the health benefit*
14 *plan pursuant to subsection 1;*

15 (b) *Refuse to issue a policy of health insurance or cancel a*
16 *policy of health insurance solely because the person applying for*
17 *or covered by the policy uses or may use a benefit provided in the*
18 *policy of health insurance pursuant to subsection 1;*

19 (c) *Offer or pay any type of material inducement or financial*
20 *incentive to an insured to discourage the insured from obtaining*
21 *any such benefit;*

22 (d) *Penalize a provider of health care who provides any such*
23 *benefit to an insured, including, without limitation, reducing the*
24 *reimbursement of the provider of health care;*

25 (e) *Offer or pay any type of material inducement, bonus or*
26 *other financial incentive to a provider of health care to deny,*
27 *reduce, withhold, limit or delay access to any such benefit to an*
28 *insured; or*

29 (f) *Impose any other restrictions or delays on the access of an*
30 *insured to any such benefit.*

31 4. A policy subject to the provisions of this chapter which is
32 delivered, issued for delivery or renewed on or after ~~[July 1, 2007,]~~
33 *January 1, 2018*, has the legal effect of including the coverage
34 required by subsection 1, and any provision of the policy or the
35 renewal which is in conflict with ~~[subsection 1]~~ *this section* is void.

36 ~~[4. For the purposes of this section, "human]~~

37 5. *Except as otherwise provided in this section and federal*
38 *law, an insurer may use medical management techniques,*
39 *including, without limitation, any available clinical evidence, to*
40 *determine the frequency of or treatment relating to any benefit*
41 *required by this section or the type of provider of health care to*
42 *use for such treatment.*

43 6. *As used in this section:*

44 (a) *"Human papillomavirus vaccine"* means the Quadrivalent
45 Human Papillomavirus Recombinant Vaccine or its successor which



1 is approved by the Food and Drug Administration for the prevention
2 of human papillomavirus infection and cervical cancer.

3 *(b) "Medical management technique" means a practice which*
4 *is used to control the cost or utilization of health care services or*
5 *prescription drug use. The term includes, without limitation, the*
6 *use of step therapy, prior authorization or categorizing drugs and*
7 *devices based on cost, type or method of administration.*

8 *(c) "Network plan" means a policy of health insurance offered*
9 *by an insurer under which the financing and delivery of medical*
10 *care, including items and services paid for as medical care, are*
11 *provided, in whole or in part, through a defined set of providers of*
12 *health care under contract with the insurer. The term does not*
13 *include an arrangement for the financing of premiums.*

14 *(d) "Provider of health care" has the meaning ascribed to it in*
15 *NRS 629.031.*

16 **Sec. 23.** NRS 689A.330 is hereby amended to read as follows:

17 689A.330 If any policy is issued by a domestic insurer for
18 delivery to a person residing in another state, and if the insurance
19 commissioner or corresponding public officer of that other state has
20 informed the Commissioner that the policy is not subject to approval
21 or disapproval by that officer, the Commissioner may by ruling
22 require that the policy meet the standards set forth in NRS 689A.030
23 to 689A.320, inclusive **H**, and sections 15 to 19, inclusive, of this
24 act.

25 **Sec. 24.** Chapter 689B of NRS is hereby amended by adding
26 thereto the provisions set forth as sections 25 to 28, inclusive, of this
27 act.

28 **Sec. 25. 1.** *An insurer that offers or issues a policy of*
29 *group health insurance which provides coverage for dependent*
30 *children shall continue to make such coverage available for an*
31 *adult child of an insured until such child reaches 26 years of age.*

32 **2.** *Nothing in this section shall be construed as requiring an*
33 *insurer to make coverage available for a dependent of an adult*
34 *child of an insured.*

35 **Sec. 25.5. 1.** *Except as otherwise provided in subsection 7,*
36 *an insurer that offers or issues a policy of group health insurance*
37 *shall include in the policy coverage for:*

38 *(a) Up to a 12-month supply, per prescription, of any type of*
39 *drug for contraception or its therapeutic equivalent which is:*

- 40 *(1) Lawfully prescribed or ordered;*
41 *(2) Approved by the Food and Drug Administration;*
42 *(3) Listed in subsection 11; and*
43 *(4) Dispensed in accordance with section 11.3 of this act;*

44 *(b) Any type of device for contraception which is:*

- 45 *(1) Lawfully prescribed or ordered;*



- 1 (2) *Approved by the Food and Drug Administration; and*
- 2 (3) *Listed in subsection 11;*

3 (c) *Insertion of a device for contraception or removal of such a*
4 *device if the device was inserted while the insured was covered by*
5 *the same policy of group health insurance;*

6 (d) *Education and counseling relating to the initiation of the*
7 *use of contraception and any necessary follow-up after initiating*
8 *such use;*

9 (e) *Management of side effects relating to contraception; and*

10 (f) *Voluntary sterilization for women.*

11 2. *An insurer must ensure that the benefits required by*
12 *subsection 1 are made available to an insured through a provider*
13 *of health care who participates in the network plan of the insurer.*

14 3. *If a covered therapeutic equivalent listed in subsection 1 is*
15 *not available or a provider of health care deems a covered*
16 *therapeutic equivalent to be medically inappropriate, an alternate*
17 *therapeutic equivalent prescribed by a provider of health care*
18 *must be covered by the insurer.*

19 4. *Except as otherwise provided in subsections 9, 10 and 12,*
20 *an insurer that offers or issues a policy of group health insurance*
21 *shall not:*

22 (a) *Require an insured to pay a higher deductible, any*
23 *copayment or coinsurance or require a longer waiting period or*
24 *other condition for coverage to obtain any benefit included in the*
25 *policy pursuant to subsection 1;*

26 (b) *Refuse to issue a policy of group health insurance or*
27 *cancel a policy of group health insurance solely because the*
28 *person applying for or covered by the policy uses or may use any*
29 *such benefit;*

30 (c) *Offer or pay any type of material inducement or financial*
31 *incentive to an insured to discourage the insured from obtaining*
32 *any such benefit;*

33 (d) *Penalize a provider of health care who provides any such*
34 *benefit to an insured, including, without limitation, reducing the*
35 *reimbursement of the provider of health care;*

36 (e) *Offer or pay any type of material inducement, bonus or*
37 *other financial incentive to a provider of health care to deny,*
38 *reduce, withhold, limit or delay access to any such benefit to an*
39 *insured; or*

40 (f) *Impose any other restrictions or delays on the access of an*
41 *insured to any such benefit.*

42 5. *Coverage pursuant to this section for the covered*
43 *dependent of an insured must be the same as for the insured.*

44 6. *Except as otherwise provided in subsection 7, a policy*
45 *subject to the provisions of this chapter that is delivered, issued for*



1 *delivery or renewed on or after January 1, 2018, has the legal*
2 *effect of including the coverage required by subsection 1, and any*
3 *provision of the policy or the renewal which is in conflict with this*
4 *section is void.*

5 *7. An insurer that offers or issues a policy of group health*
6 *insurance and which is affiliated with a religious organization is*
7 *not required to provide the coverage required by subsection 1 if*
8 *the insurer objects on religious grounds. Such an insurer shall,*
9 *before the issuance of a policy of group health insurance and*
10 *before the renewal of such a policy, provide to the prospective*
11 *insured written notice of the coverage that the insurer refuses to*
12 *provide pursuant to this subsection.*

13 *8. If an insurer refuses, pursuant to subsection 7, to provide*
14 *the coverage required by subsection 1, an employer may otherwise*
15 *provide for the coverage for the employees of the employer.*

16 *9. An insurer may require an insured to pay a higher*
17 *deductible, copayment or coinsurance for a drug for contraception*
18 *if the insured refuses to accept a therapeutic equivalent of the*
19 *drug.*

20 *10. For each of the 18 methods of contraception listed in*
21 *subsection 11 that have been approved by the Food and Drug*
22 *Administration, a policy of group health insurance must include at*
23 *least one drug or device for contraception within each method for*
24 *which no deductible, copayment or coinsurance may be charged to*
25 *the insured, but the insurer may charge a deductible, copayment*
26 *or coinsurance for any other drug or device that provides the same*
27 *method of contraception.*

28 *11. The following 18 methods of contraception must be*
29 *covered pursuant to this section:*

- 30 *(a) Voluntary sterilization for women;*
31 *(b) Surgical sterilization implants for women;*
32 *(c) Implantable rods;*
33 *(d) Copper-based intrauterine devices;*
34 *(e) Progesterone-based intrauterine devices;*
35 *(f) Injections;*
36 *(g) Combined estrogen- and progestin-based drugs;*
37 *(h) Progestin-based drugs;*
38 *(i) Extended- or continuous-regimen drugs;*
39 *(j) Estrogen- and progestin-based patches;*
40 *(k) Vaginal contraceptive rings;*
41 *(l) Diaphragms with spermicide;*
42 *(m) Sponges with spermicide;*
43 *(n) Cervical caps with spermicide;*
44 *(o) Female condoms;*
45 *(p) Spermicide;*



1 (q) Combined estrogen- and progestin-based drugs for
2 emergency contraception or progestin-based drugs for emergency
3 contraception; and

4 (r) Ulipristal acetate for emergency contraception.

5 12. Except as otherwise provided in this section and federal
6 law, an insurer may use medical management techniques,
7 including, without limitation, any available clinical evidence, to
8 determine the frequency of or treatment relating to any benefit
9 required by this section or the type of provider of health care to
10 use for such treatment.

11 13. An insurer shall not use medical management techniques
12 to require an insured to use a different method of contraception
13 other than the method prescribed or ordered by a provider of
14 health care.

15 14. An insurer must provide an accessible, transparent and
16 expedited process which is not unduly burdensome by which an
17 insured, or the authorized representative of the insured, may
18 request an exception relating to any medical management
19 technique used by the insurer to obtain any benefit required by
20 this section without a higher deductible, copayment or
21 coinsurance.

22 15. As used in this section:

23 (a) "Medical management technique" means a practice which
24 is used to control the cost or utilization of health care services or
25 prescription drug use. The term includes, without limitation, the
26 use of step therapy, prior authorization or categorizing drugs and
27 devices based on cost, type or method of administration.

28 (b) "Network plan" means a policy of group health insurance
29 offered by an insurer under which the financing and delivery of
30 medical care, including items and services paid for as medical
31 care, are provided, in whole or in part, through a defined set of
32 providers of health care under contract with the insurer. The term
33 does not include an arrangement for the financing of premiums.

34 (c) "Provider of health care" has the meaning ascribed to it in
35 NRS 629.031.

36 (d) "Therapeutic equivalent" means a drug which:

37 (1) Contains an identical amount of the same active
38 ingredients in the same dosage and method of administration as
39 another drug;

40 (2) Is expected to have the same clinical effect when
41 administered to a patient pursuant to a prescription or order as
42 another drug; and

43 (3) Meets any other criteria required by the Food and Drug
44 Administration for classification as a therapeutic equivalent.



1 **Sec. 26. 1. An insurer that offers or issues a policy of**
2 **group health insurance shall include in the policy coverage for:**

3 **(a) Counseling and support for breastfeeding, including**
4 **breastfeeding equipment, counseling and education during the**
5 **antenatal, perinatal and postpartum period for not more than 1**
6 **year;**

7 **(b) Screening and counseling for interpersonal and domestic**
8 **violence for women at least annually, with initial intervention**
9 **services consisting of education, strategies to reduce harm,**
10 **supportive services or a referral for any other appropriate**
11 **services;**

12 **(c) Behavioral counseling concerning sexually transmitted**
13 **diseases from a provider of health care for sexually active women**
14 **who are at increased risk for such diseases;**

15 **(d) Such prenatal screenings and tests as recommended by the**
16 **American College of Obstetricians and Gynecologists or its**
17 **successor organization;**

18 **(e) Screening for blood pressure abnormalities and diabetes,**
19 **including gestational diabetes, after at least 24 weeks of gestation**
20 **or as ordered by a provider of health care;**

21 **(f) Screening for cervical cancer at such intervals as are**
22 **recommended by the American College of Obstetricians and**
23 **Gynecologists or its successor organization;**

24 **(g) Such well-woman preventive visits as recommended by the**
25 **Health Resources and Services Administration, which must**
26 **include at least one such visit per year beginning at 14 years of**
27 **age;**

28 **(h) A daily dose of 0.4 to 0.8 milligrams of folic acid for**
29 **women who are capable of becoming pregnant;**

30 **(i) Aspirin for the prevention of preeclampsia for women who**
31 **are determined to be at a high risk of that condition after 12 weeks**
32 **of gestation;**

33 **(j) Medication to prevent breast cancer for women who are at**
34 **a high risk of developing breast cancer and have a low risk of**
35 **adverse side effects from the medication; and**

36 **(k) Prophylactic ocular tubal medication for the prevention of**
37 **gonococcal ophthalmia in newborns.**

38 **2. An insurer must ensure that the benefits required by**
39 **subsection 1 are made available to an insured through a provider**
40 **of health care who participates in the network plan of the insurer.**

41 **3. Except as otherwise provided in subsection 5, an insurer**
42 **that offers or issues a policy of group health insurance shall not:**

43 **(a) Require an insured to pay a higher deductible, any**
44 **copayment or coinsurance or require a longer waiting period or**



1 *other condition to obtain any benefit provided in the policy of*
2 *group health insurance pursuant to subsection 1;*

3 *(b) Refuse to issue a policy of group health insurance or*
4 *cancel a policy of group health insurance solely because the*
5 *person applying for or covered by the policy uses or may use a*
6 *benefit provided in the policy of group health insurance pursuant*
7 *to subsection 1;*

8 *(c) Offer or pay any type of material inducement or financial*
9 *incentive to an insured to discourage the insured from obtaining*
10 *any such benefit;*

11 *(d) Penalize a provider of health care who provides any such*
12 *benefit to an insured, including, without limitation, reducing the*
13 *reimbursement of the provider of health care;*

14 *(e) Offer or pay any type of material inducement, bonus or*
15 *other financial incentive to a provider of health care to deny,*
16 *reduce, withhold, limit or delay access to any such benefit to an*
17 *insured; or*

18 *(f) Impose any other restrictions or delays on the access of an*
19 *insured to any such benefit.*

20 *4. A policy of group health insurance subject to the*
21 *provisions of this chapter that is delivered, issued for delivery or*
22 *renewed on or after January 1, 2018, has the legal effect of*
23 *including the coverage required by subsection 1, and any*
24 *provision of the policy or the renewal which is in conflict with this*
25 *section is void.*

26 *5. Except as otherwise provided in this section and federal*
27 *law, an insurer may use medical management techniques,*
28 *including, without limitation, any available clinical evidence, to*
29 *determine the frequency of or treatment relating to any benefit*
30 *required by this section or the type of provider of health care to*
31 *use for such treatment.*

32 *6. As used in this section:*

33 *(a) "Medical management technique" means a practice which*
34 *is used to control the cost or utilization of health care services or*
35 *prescription drug use. The term includes, without limitation, the*
36 *use of step therapy, prior authorization or categorizing drugs and*
37 *devices based on cost, type or method of administration.*

38 *(b) "Network plan" means a policy of group health insurance*
39 *offered by an insurer under which the financing and delivery of*
40 *medical care, including items and services paid for as medical*
41 *care, are provided, in whole or in part, through a defined set of*
42 *providers of health care under contract with the insurer. The term*
43 *does not include an arrangement for the financing of premiums.*

44 *(c) "Provider of health care" has the meaning ascribed to it in*
45 *NRS 629.031.*



1 **Sec. 27. 1. An insurer that offers or issues a policy of**
2 **group health insurance shall include in the policy coverage for:**

3 **(a) Counseling relating to the dietary needs of adults who are**
4 **at a high risk of chronic diseases;**

5 **(b) Statin preventive medication for persons between the ages**
6 **of 40 and 75 years who do not have a history of cardiovascular**
7 **disease, but who have:**

8 **(1) One or more risk factors for cardiovascular disease;**
9 **and**

10 **(2) A calculated risk of at least 10 percent of acquiring**
11 **cardiovascular disease within the next 10 years;**

12 **(c) Aspirin for persons between the ages of 50 and 59 years**
13 **who have a calculated risk of at least 10 percent of acquiring**
14 **cardiovascular disease within the next 10 years and a life**
15 **expectancy of at least 10 years;**

16 **(d) Vitamin D supplements for persons who are at least 65**
17 **years of age to prevent the person from falling if the person:**

18 **(1) Does not reside in a medical facility or a facility for the**
19 **dependent; and**

20 **(2) Has an increased risk of falls;**

21 **(e) Tuberculosis screenings for latent tuberculosis infection in**
22 **persons with increased risk of contracting tuberculosis;**

23 **(f) Screening for high blood pressure to confirm a diagnosis**
24 **made outside a clinical setting before treatment is commenced;**

25 **(g) One abdominal aortic screening by ultrasound to detect**
26 **abdominal aortic aneurisms for men between the ages of 65 and**
27 **75 years who have smoked during their lifetimes;**

28 **(h) Screening for hepatitis B infection for persons who are at a**
29 **high risk of contracting hepatitis B;**

30 **(i) Screening for hepatitis C infection for persons who are at a**
31 **high risk of contracting hepatitis C;**

32 **(j) One screening for hepatitis C infection for persons born**
33 **between 1945 and 1965;**

34 **(k) Screening for osteoporosis for women who:**

35 **(1) Are 65 years of age and older; or**

36 **(2) Have a risk of fracturing a bone equal to or greater**
37 **than that of a woman who is 65 years of age without any**
38 **additional risk factors;**

39 **(l) Screening for alcohol misuse for persons 18 years of age or**
40 **older;**

41 **(m) If a person engages in risky or hazardous consumption of**
42 **alcohol, as determined by the screening described in paragraph**
43 **(l), behavioral counseling to reduce such behavior; and**

44 **(n) Screening for lung cancer using low-dose computed**
45 **tomography for persons between ages of 55 and 80 years who:**



1 (1) *Have a smoking history of 30 pack-years;*
2 (2) *Smoke or have stopped smoking within the immediately*
3 *preceding 15 years; and*

4 (3) *Do not suffer from a health problem that substantially*
5 *limits the life expectancy of the person or the willingness of the*
6 *person to undergo curative surgery.*

7 2. *An insurer must ensure that the benefits required by*
8 *subsection 1 are made available to an insured through a provider*
9 *of health care who participates in the network plan of the insurer.*

10 3. *Except as otherwise provided in subsection 5, an insurer*
11 *that offers or issues a policy of group health insurance shall not:*

12 (a) *Require an insured to pay a higher deductible, any*
13 *copayment or coinsurance or require a longer waiting period or*
14 *other condition to obtain any benefit provided in the policy of*
15 *group health insurance pursuant to subsection 1;*

16 (b) *Refuse to issue a policy of group health insurance or*
17 *cancel a policy of group health insurance solely because the*
18 *person applying for or covered by the policy uses or may use a*
19 *benefit provided in the policy of group health insurance pursuant*
20 *to subsection 1;*

21 (c) *Offer or pay any type of material inducement or financial*
22 *incentive to an insured to discourage the insured from obtaining*
23 *any such benefit;*

24 (d) *Penalize a provider of health care who provides any such*
25 *benefit to an insured, including, without limitation, reducing the*
26 *reimbursement of the provider of health care;*

27 (e) *Offer or pay any type of material inducement, bonus or*
28 *other financial incentive to a provider of health care to deny,*
29 *reduce, withhold, limit or delay access to any such benefit to an*
30 *insured; or*

31 (f) *Impose any other restrictions or delays on the access of an*
32 *insured to any such benefit.*

33 4. *A policy of group health insurance subject to the*
34 *provisions of this chapter that is delivered, issued for delivery or*
35 *renewed on or after January 1, 2018, has the legal effect of*
36 *including the coverage required by subsection 1, and any*
37 *provision of the policy or the renewal which is in conflict with this*
38 *section is void.*

39 5. *Except as otherwise provided in this section and federal*
40 *law, an insurer may use medical management techniques,*
41 *including, without limitation, any available clinical evidence, to*
42 *determine the frequency of or treatment relating to any benefit*
43 *required by this section or the type of provider of health care to*
44 *use for such treatment.*

45 6. *As used in this section:*



* A B 4 0 8 R 3 *

1 (a) "Computed tomography" means the process of producing
2 sectional and three-dimensional images using external ionizing
3 radiation.

4 (b) "Facility for the dependent" has the meaning ascribed to it
5 in NRS 449.0045.

6 (c) "Medical facility" has the meaning ascribed to it in
7 NRS 449.0151.

8 (d) "Medical management technique" means a practice which
9 is used to control the cost or utilization of health care services or
10 prescription drug use. The term includes, without limitation, the
11 use of step therapy, prior authorization or categorizing drugs and
12 devices based on cost, type or method of administration.

13 (e) "Network plan" means a policy of health insurance offered
14 by an insurer under which the financing and delivery of medical
15 care, including items and services paid for as medical care, are
16 provided, in whole or in part, through a defined set of providers of
17 health care under contract with the insurer. The term does not
18 include an arrangement for the financing of premiums.

19 (f) "Pack-year" means the product of the number of packs of
20 cigarettes smoked per day and the number of years that the person
21 has smoked.

22 (g) "Provider of health care" has the meaning ascribed to it in
23 NRS 629.031.

24 **Sec. 28. 1.** An insurer that offers or issues a policy of
25 group health insurance shall include in the policy coverage for:

26 (a) Screening for depression;

27 (b) All vaccinations recommended by the Advisory Committee
28 on Immunization Practices of the Centers for Disease Control and
29 Prevention of the United States Department of Health and Human
30 Services or its successor organization;

31 (c) Screening, tests and counseling for such other health
32 conditions and diseases as recommended by the Health Resources
33 and Services Administration for persons less than 18 years of age;
34 and

35 (d) Assessments relating to height, weight, body mass index
36 and medical history for persons less than 18 years of age.

37 2. An insurer must ensure that the benefits required by
38 subsection 1 are made available to an insured through a provider
39 of health care who participates in the network plan of the insurer.

40 3. Except as otherwise provided in subsection 5, an insurer
41 that offers or issues a policy of group health insurance shall not:

42 (a) Require an insured to pay a higher deductible, any
43 copayment or coinsurance or require a longer waiting period or
44 other condition to obtain any benefit provided in the policy of
45 group health insurance pursuant to subsection 1;



1 ***(b) Refuse to issue a policy of group health insurance or***
2 ***cancel a policy of group health insurance solely because the***
3 ***person applying for or covered by the policy uses or may use a***
4 ***benefit provided in the policy of group health insurance pursuant***
5 ***to subsection 1;***

6 ***(c) Offer or pay any type of material inducement or financial***
7 ***incentive to an insured to discourage the insured from obtaining***
8 ***any such benefit;***

9 ***(d) Penalize a provider of health care who provides any such***
10 ***benefit to an insured, including, without limitation, reducing the***
11 ***reimbursement of the provider of health care;***

12 ***(e) Offer or pay any type of material inducement, bonus or***
13 ***other financial incentive to a provider of health care to deny,***
14 ***reduce, withhold, limit or delay access to any such benefit to an***
15 ***insured; or***

16 ***(f) Impose any other restrictions or delays on the access of an***
17 ***insured to any such benefit.***

18 ***4. A policy of group health insurance subject to the***
19 ***provisions of this chapter that is delivered, issued for delivery or***
20 ***renewed on or after January 1, 2018, has the legal effect of***
21 ***including the coverage required by subsection 1, and any***
22 ***provision of the policy or the renewal which is in conflict with this***
23 ***section is void.***

24 ***5. Except as otherwise provided in this section and federal***
25 ***law, an insurer may use medical management techniques,***
26 ***including, without limitation, any available clinical evidence, to***
27 ***determine the frequency of or treatment relating to any benefit***
28 ***required by this section or the type of provider of health care to***
29 ***use for such treatment.***

30 ***6. As used in this section:***

31 ***(a) "Medical management technique" means a practice which***
32 ***is used to control the cost or utilization of health care services or***
33 ***prescription drug use. The term includes, without limitation, the***
34 ***use of step therapy, prior authorization or categorizing drugs and***
35 ***devices based on cost, type or method of administration.***

36 ***(b) "Network plan" means a policy of group health insurance***
37 ***offered by an insurer under which the financing and delivery of***
38 ***medical care, including items and services paid for as medical***
39 ***care, are provided, in whole or in part, through a defined set of***
40 ***providers of health care under contract with the insurer. The term***
41 ***does not include an arrangement for the financing of premiums.***

42 ***(c) "Provider of health care" has the meaning ascribed to it in***
43 ***NRS 629.031.***



1 **Sec. 29.** NRS 689B.0313 is hereby amended to read as
2 follows:

3 689B.0313 1. A policy of group health insurance must
4 provide coverage for benefits payable for expenses incurred for
5 ~~administering~~ :

6 (a) *Deoxyribonucleic acid testing for high-risk strains of the*
7 *human papillomavirus every 3 years for women 30 years of age or*
8 *older; and*

9 (b) *Administering* the human papillomavirus vaccine as
10 recommended for vaccination by a competent authority, including,
11 without limitation, the Centers for Disease Control and Prevention
12 of the United States Department of Health and Human Services, the
13 Food and Drug Administration or the manufacturer of the vaccine.

14 2. ~~IA policy of group health insurance must not require an~~
15 ~~insured to obtain prior authorization for any service provided~~
16 ~~pursuant to subsection 1.~~ *An insurer must ensure that the benefits*
17 *required by subsection 1 are made available to an insured through*
18 *a provider of health care who participates in the network plan of*
19 *the insurer.*

20 3. *Except as otherwise provided in subsection 5, an insurer*
21 *that offers or issues a policy of group health insurance shall not:*

22 (a) *Require an insured to pay a higher deductible, any*
23 *copayment or coinsurance or require a longer waiting period or*
24 *other condition to obtain any benefit provided in the policy of*
25 *group health insurance pursuant to subsection 1;*

26 (b) *Refuse to issue a policy of group health insurance or*
27 *cancel a policy of group health insurance solely because the*
28 *person applying for or covered by the policy uses or may use a*
29 *benefit provided in the policy of group health insurance pursuant*
30 *to subsection 1;*

31 (c) *Offer or pay any type of material inducement or financial*
32 *incentive to an insured to discourage the insured from obtaining*
33 *any such benefit;*

34 (d) *Penalize a provider of health care who provides any such*
35 *benefit to an insured, including, without limitation, reducing the*
36 *reimbursement of the provider of health care;*

37 (e) *Offer or pay any type of material inducement, bonus or*
38 *other financial incentive to a provider of health care to deny,*
39 *reduce, withhold, limit or delay access to any such benefit to an*
40 *insured; or*

41 (f) *Impose any other restrictions or delays on the access of an*
42 *insured to any such benefit.*

43 4. A policy of *group health insurance* subject to the
44 provisions of this chapter which is delivered, issued for delivery or
45 renewed on or after ~~July 1, 2007,~~ *January 1, 2018,* has the legal



1 effect of including the coverage required by subsection 1, and any
2 provision of the policy or the renewal which is in conflict with
3 ~~subsection 1~~ **this section** is void.

4 ~~4. For the purposes of this section, "human~~

5 **5. Except as otherwise provided in this section and federal**
6 **law, an insurer may use medical management techniques,**
7 **including, without limitation, any available clinical evidence, to**
8 **determine the frequency of or treatment relating to any benefit**
9 **required by this section or the type of provider of health care to**
10 **use for such treatment.**

11 **6. As used in this section:**

12 (a) **"Human papillomavirus vaccine"** means the Quadrivalent
13 Human Papillomavirus Recombinant Vaccine or its successor which
14 is approved by the Food and Drug Administration for the prevention
15 of human papillomavirus infection and cervical cancer.

16 (b) **"Medical management technique"** means a practice which
17 is used to control the cost or utilization of health care services or
18 prescription drug use. The term includes, without limitation, the
19 use of step therapy, prior authorization or categorizing drugs and
20 devices based on cost, type or method of administration.

21 (c) **"Network plan"** means a policy of group health insurance
22 offered by an insurer under which the financing and delivery of
23 medical care, including items and services paid for as medical
24 care, are provided, in whole or in part, through a defined set of
25 providers of health care under contract with the insurer. The term
26 does not include an arrangement for the financing of premiums.

27 (d) **"Provider of health care"** has the meaning ascribed to it in
28 **NRS 629.031.**

29 **Sec. 30.** NRS 689B.0374 is hereby amended to read as
30 follows:

31 689B.0374 1. A policy of group health insurance must
32 provide coverage for benefits payable for expenses incurred for:

33 (a) ~~An annual cytologic screening test for women 18 years of~~
34 ~~age or older;~~

35 ~~(b) A baseline mammogram for women between the ages of 35~~
36 ~~and 40; and~~

37 ~~(c) An annual~~ **A mammogram every 2 years, or annually if**
38 **ordered by a provider of health care,** for women 40 years of age or
39 older **;**

40 (b) **Counseling concerning genetic testing for breast cancer for**
41 **women who are at a high risk of developing breast cancer; and**

42 (c) **Counseling concerning breast cancer chemoprevention for**
43 **women who are at risk of developing breast cancer.**

44 2. ~~A policy of group health insurance must not require an~~
45 ~~insured to obtain prior authorization for any service provided~~



1 ~~pursuant to subsection 1.~~ *An insurer must ensure that the benefits*
2 *required by subsection 1 are made available to an insured through*
3 *a provider of health care who participates in the network plan of*
4 *the insurer.*

5 3. *Except as otherwise provided in subsection 5, an insurer*
6 *that offers or issues a policy of group health insurance shall not:*

7 (a) *Require an insured to pay a higher deductible, any*
8 *copayment or coinsurance or require a longer waiting period or*
9 *other condition to obtain any benefit provided in the policy of*
10 *group health insurance pursuant to subsection 1;*

11 (b) *Refuse to issue a policy of group health insurance or*
12 *cancel a policy of group health insurance solely because the*
13 *person applying for or covered by the policy uses or may use a*
14 *benefit provided in the policy of group health insurance pursuant*
15 *to subsection 1;*

16 (c) *Offer or pay any type of material inducement or financial*
17 *incentive to an insured to discourage the insured from obtaining*
18 *any such benefit;*

19 (d) *Penalize a provider of health care who provides any such*
20 *benefit to an insured, including, without limitation, reducing the*
21 *reimbursement of the provider of health care;*

22 (e) *Offer or pay any type of material inducement, bonus or*
23 *other financial incentive to a provider of health care to deny,*
24 *reduce, withhold, limit or delay access to any such benefit to an*
25 *insured; or*

26 (f) *Impose any other restrictions or delays on the access of an*
27 *insured to any such benefit.*

28 4. A policy of group health insurance subject to the
29 provisions of this chapter which is delivered, issued for delivery or
30 renewed on or after ~~October 1, 1989,~~ *January 1, 2018*, has the
31 legal effect of including the coverage required by subsection 1, and
32 any provision of the policy or the renewal which is in conflict with
33 ~~subsection 1~~ *this section* is void.

34 5. *Except as otherwise provided in this section and federal*
35 *law, an insurer may use medical management techniques,*
36 *including, without limitation, any available clinical evidence, to*
37 *determine the frequency of or treatment relating to any benefit*
38 *required by this section or the type of provider of health care to*
39 *use for such treatment.*

40 6. *As used in this section:*

41 (a) *“Medical management technique” means a practice which*
42 *is used to control the cost or utilization of health care services or*
43 *prescription drug use. The term includes, without limitation, the*
44 *use of step therapy, prior authorization or categorizing drugs and*
45 *devices based on cost, type or method of administration.*



1 (b) "Network plan" means a policy of group health insurance
2 offered by an insurer under which the financing and delivery of
3 medical care, including items and services paid for as medical
4 care, are provided, in whole or in part, through a defined set of
5 providers of health care under contract with the insurer. The term
6 does not include an arrangement for the financing of premiums.

7 (c) "Provider of health care" has the meaning ascribed to it in
8 NRS 629.031.

9 Sec. 30.3. NRS 689B.0376 is hereby amended to read as
10 follows:

11 689B.0376 1. ~~Except as otherwise provided in subsection 5,~~
12 ~~an~~ An insurer that offers or issues a policy of group health
13 insurance which provides coverage for prescription drugs or devices
14 shall include in the policy coverage for ~~f~~

15 ~~—(a) Any type of drug or device for contraception; and~~

16 ~~—(b) Any~~ any type of hormone replacement therapy ~~f~~

17 ~~→~~ which is lawfully prescribed or ordered and which has been
18 approved by the Food and Drug Administration.

19 2. An insurer that offers or issues a policy of group health
20 insurance that provides coverage for prescription drugs shall not:

21 (a) Require an insured to pay a higher deductible, copayment or
22 coinsurance or require a longer waiting period or other condition for
23 coverage for a prescription for ~~a contraceptive or~~ hormone
24 replacement therapy than is required for other prescription drugs
25 covered by the policy;

26 (b) Refuse to issue a policy of group health insurance or cancel a
27 policy of group health insurance solely because the person applying
28 for or covered by the policy uses or may use in the future ~~any of the~~
29 ~~services listed in subsection 1;~~ hormone replacement therapy;

30 (c) Offer or pay any type of material inducement or financial
31 incentive to an insured to discourage the insured from accessing
32 ~~any of the services listed in subsection 1;~~ hormone replacement
33 therapy;

34 (d) Penalize a provider of health care who provides ~~any of the~~
35 ~~services listed in subsection 1;~~ hormone replacement therapy to an
36 insured, including, without limitation, reducing the reimbursement
37 of the provider of health care; or

38 (e) Offer or pay any type of material inducement, bonus or other
39 financial incentive to a provider of health care to deny, reduce,
40 withhold, limit or delay ~~any of the services listed in subsection 1;~~
41 hormone replacement therapy to an insured.

42 3. ~~Except as otherwise provided in subsection 5, a~~ A policy
43 subject to the provisions of this chapter that is delivered, issued for
44 delivery or renewed on or after October 1, 1999, has the legal effect
45 of including the coverage required by subsection 1, and any



1 provision of the policy or the renewal which is in conflict with this
2 section is void.

3 4. The provisions of this section do not:

4 (a) Require an insurer to provide coverage for fertility drugs.

5 (b) Prohibit an insurer from requiring an insured to pay a
6 deductible, copayment or coinsurance for the coverage required by
7 ~~paragraphs (a) and (b) of~~ subsection 1 that is the same as the
8 insured is required to pay for other prescription drugs covered by the
9 policy.

10 5. ~~An insurer which offers or issues a policy of group health
11 insurance and which is affiliated with a religious organization is not
12 required to provide the coverage required by paragraph (a) of
13 subsection 1 if the insurer objects on religious grounds. Such an
14 insurer shall, before the issuance of a policy of group health
15 insurance and before the renewal of such a policy, provide to the
16 group policyholder or prospective insured, as applicable, written
17 notice of the coverage that the insurer refuses to provide pursuant to
18 this subsection. The insurer shall provide notice to each insured, at
19 the time the insured receives his or her certificate of coverage or
20 evidence of coverage, that the insurer refused to provide coverage
21 pursuant to this subsection.~~

22 ~~6. If an insurer refuses, pursuant to subsection 5, to provide the
23 coverage required by paragraph (a) of subsection 1, an employer
24 may otherwise provide for the coverage for the employees of the
25 employer.~~

26 ~~7.~~ As used in this section, "provider of health care" has the
27 meaning ascribed to it in NRS 629.031.

28 **Sec. 30.6.** NRS 689B.0377 is hereby amended to read as
29 follows:

30 689B.0377 1. ~~Except as otherwise provided in subsection 5,~~
31 **an** insurer that offers or issues a policy of group health
32 insurance which provides coverage for outpatient care shall include
33 in the policy coverage for any health care service related to
34 ~~contraceptives or~~ hormone replacement therapy.

35 2. An insurer that offers or issues a policy of group health
36 insurance that provides coverage for outpatient care shall not:

37 (a) Require an insured to pay a higher deductible, copayment or
38 coinsurance or require a longer waiting period or other condition for
39 coverage for outpatient care related to ~~contraceptives or~~ hormone
40 replacement therapy than is required for other outpatient care
41 covered by the policy;

42 (b) Refuse to issue a policy of group health insurance or cancel a
43 policy of group health insurance solely because the person applying
44 for or covered by the policy uses or may use in the future ~~any of the
45 services listed in subsection 1;~~ **hormone replacement therapy;**



1 (c) Offer or pay any type of material inducement or financial
2 incentive to an insured to discourage the insured from accessing
3 ~~any of the services listed in subsection 1;~~ *hormone replacement*
4 *therapy;*

5 (d) Penalize a provider of health care who provides ~~any of the~~
6 ~~services listed in subsection 1~~ *hormone replacement therapy* to an
7 insured, including, without limitation, reducing the reimbursement
8 of the provider of health care; or

9 (e) Offer or pay any type of material inducement, bonus or other
10 financial incentive to a provider of health care to deny, reduce,
11 withhold, limit or delay ~~any of the services listed in subsection 1~~
12 *hormone replacement therapy* to an insured.

13 3. ~~Except as otherwise provided in subsection 5, a~~ A policy
14 subject to the provisions of this chapter that is delivered, issued for
15 delivery or renewed on or after October 1, 1999, has the legal effect
16 of including the coverage required by subsection 1, and any
17 provision of the policy or the renewal which is in conflict with this
18 section is void.

19 4. The provisions of this section do not prohibit an insurer from
20 requiring an insured to pay a deductible, copayment or coinsurance
21 for the coverage required by subsection 1 that is the same as the
22 insured is required to pay for other outpatient care covered by the
23 policy.

24 5. ~~An insurer which offers or issues a policy of group health~~
25 ~~insurance and which is affiliated with a religious organization is not~~
26 ~~required to provide the coverage for health care service related to~~
27 ~~contraceptives required by this section if the insurer objects on~~
28 ~~religious grounds. Such an insurer shall, before the issuance of a~~
29 ~~policy of group health insurance and before the renewal of such a~~
30 ~~policy, provide to the group policyholder or prospective insured, as~~
31 ~~applicable, written notice of the coverage that the insurer refuses to~~
32 ~~provide pursuant to this subsection. The insurer shall provide notice~~
33 ~~to each insured, at the time the insured receives his or her certificate~~
34 ~~of coverage or evidence of coverage, that the insurer refused to~~
35 ~~provide coverage pursuant to this subsection.~~

36 ~~6. If an insurer refuses, pursuant to subsection 5, to provide the~~
37 ~~coverage required by paragraph (a) of subsection 1, an employer~~
38 ~~may otherwise provide for the coverage for the employees of the~~
39 ~~employer.~~

40 ~~7.~~ As used in this section, "provider of health care" has the
41 meaning ascribed to it in NRS 629.031.

42 **Sec. 31.** NRS 689B.500 is hereby amended to read as follows:

43 689B.500 ~~A carrier that issues a group health plan or coverage~~
44 ~~under blanket accident and health insurance or group health~~



1 ~~insurance shall not deny, exclude or limit a benefit for a preexisting~~
2 ~~condition.~~

3 1. *An insurer shall offer or issue a policy of group health*
4 *insurance to any person regardless of the health status of the*
5 *person or any dependent of the person. Such health status*
6 *includes, without limitation:*

7 (a) *Any preexisting medical condition of the person, including,*
8 *without limitation, any physical or mental illness;*

9 (b) *The claims history of the person, including, without*
10 *limitation, any prior health care services received by the person;*

11 (c) *Genetic information relating to the person; and*

12 (d) *Any increased risk for illness, injury or any other medical*
13 *condition of the person, including, without limitation, any medical*
14 *condition caused by an act of domestic violence.*

15 2. *An insurer that offers or issues a policy of group health*
16 *insurance shall not:*

17 (a) *Deny, limit or exclude a benefit based on the health status*
18 *of an insured; or*

19 (b) *Require an insured, as a condition of enrollment or*
20 *renewal, to pay a premium, deductible, copay or coinsurance*
21 *based on his or her health status which is greater than the*
22 *premium, deductible, copay or coinsurance charged to a similarly*
23 *situated insured or the covered dependent of such an insured who*
24 *does not have such a health status.*

25 3. *An insurer that offers or issues a policy of group health*
26 *insurance shall not adjust a premium, deductible, copay or*
27 *coinsurance for any insured on the basis of genetic information*
28 *relating to the insured or the covered dependent of the insured.*

29 **Sec. 32.** NRS 689B.520 is hereby amended to read as follows:

30 689B.520 1. Except as otherwise provided in this subsection,
31 a group health plan or coverage offered under group health
32 insurance issued pursuant to this chapter ~~{that includes coverage for~~
33 ~~maternity care and pediatric care for newborn infants}~~ may not
34 restrict benefits for any length of stay in a hospital in connection
35 with childbirth for a mother or newborn infant covered by the plan
36 or coverage to:

37 (a) Less than 48 hours after a normal vaginal delivery; and

38 (b) Less than 96 hours after a cesarean section.

39 ↪ If a different length of stay is provided in the guidelines
40 established by the American College of Obstetricians and
41 Gynecologists, or its successor organization, and the American
42 Academy of Pediatrics, or its successor organization, the group
43 health plan or health insurance coverage may follow such guidelines
44 in lieu of following the length of stay set forth above. The
45 provisions of this subsection do not apply to any group health plan



1 or health insurance coverage in any case in which the decision to
2 discharge the mother or newborn infant before the expiration of the
3 minimum length of stay set forth in this subsection is made by the
4 attending physician of the mother or newborn infant.

5 2. Nothing in this section requires a mother to:

6 (a) Deliver her baby in a hospital; or

7 (b) Stay in a hospital for a fixed period following the birth of her
8 child.

9 3. A group health plan or coverage under group health
10 insurance ~~[that offers coverage for maternity care and pediatric care~~
11 ~~of newborn infants]~~ may not:

12 (a) Deny a mother or her newborn infant coverage or continued
13 coverage under the terms of the plan or coverage if the sole purpose
14 of the denial of coverage or continued coverage is to avoid the
15 requirements of this section;

16 (b) Provide monetary payments or rebates to a mother to
17 encourage her to accept less than the minimum protection available
18 pursuant to this section;

19 (c) Penalize, or otherwise reduce or limit, the reimbursement of
20 an attending provider of health care because the attending provider
21 of health care provided care to a mother or newborn infant in
22 accordance with the provisions of this section;

23 (d) Provide incentives of any kind to an attending physician to
24 induce the attending physician to provide care to a mother or
25 newborn infant in a manner that is inconsistent with the provisions
26 of this section; or

27 (e) Except as otherwise provided in subsection 4, restrict
28 benefits for any portion of a hospital stay required pursuant to the
29 provisions of this section in a manner that is less favorable than the
30 benefits provided for any preceding portion of that stay.

31 4. Nothing in this section:

32 (a) Prohibits a group health plan or carrier from imposing a
33 deductible, coinsurance or other mechanism for sharing costs
34 relating to benefits for hospital stays in connection with childbirth
35 for a mother or newborn child covered by the plan, except that such
36 coinsurance or other mechanism for sharing costs for any portion of
37 a hospital stay required by this section may not be greater than the
38 coinsurance or other mechanism for any preceding portion of that
39 stay.

40 (b) Prohibits an arrangement for payment between a group
41 health plan or carrier and a provider of health care that uses
42 capitation or other financial incentives, if the arrangement is
43 designed to provide services efficiently and consistently in the best
44 interest of the mother and her newborn infant.



* A B 4 0 8 R 3 *

1 (c) Prevents a group health plan or carrier from negotiating with
2 a provider of health care concerning the level and type of
3 reimbursement to be provided in accordance with this section.

4 *5. A policy of group health insurance subject to the*
5 *provisions of this chapter that is delivered, issued for delivery or*
6 *renewed on or after January 1, 2018, has the legal effect of*
7 *including the coverage required by subsection 1, and any*
8 *provision of the policy or the renewal which is in conflict with this*
9 *section is void.*

10 *6. As used in this section, "provider of health care" has the*
11 *meaning ascribed to it in NRS 629.031.*

12 **Sec. 33.** Chapter 689C of NRS is hereby amended by adding
13 thereto the provisions set forth as sections 34 to 39, inclusive, of this
14 act.

15 **Sec. 34.** *1. A carrier that offers or issues a health benefit*
16 *plan which provides coverage for dependent children shall*
17 *continue to make such coverage available for an adult child of an*
18 *insured until such child reaches 26 years of age.*

19 *2. Nothing in this section shall be construed as requiring a*
20 *carrier to make coverage available for a dependent of an adult*
21 *child of an insured.*

22 **Sec. 34.5.** *1. Except as otherwise provided in subsection 7,*
23 *a carrier that offers or issues a health benefit plan shall include in*
24 *the plan coverage for:*

25 *(a) Up to a 12-month supply, per prescription, of any type of*
26 *drug for contraception or its therapeutic equivalent which is:*

- 27 *(1) Lawfully prescribed or ordered;*
28 *(2) Approved by the Food and Drug Administration;*
29 *(3) Listed in subsection 10; and*
30 *(4) Dispensed in accordance with section 11.3 of this act;*

31 *(b) Any type of device for contraception which is:*

- 32 *(1) Lawfully prescribed or ordered;*
33 *(2) Approved by the Food and Drug Administration; and*
34 *(3) Listed in subsection 10;*

35 *(c) Insertion of a device for contraception or removal of such a*
36 *device if the device was inserted while the insured was covered by*
37 *the same health benefit plan;*

38 *(d) Education and counseling relating to the initiation of the*
39 *use of contraception and any necessary follow-up after initiating*
40 *such use;*

41 *(e) Management of side effects relating to contraception; and*

42 *(f) Voluntary sterilization for women.*

43 *2. A carrier must ensure that the benefits required by*
44 *subsection 1 are made available to an insured through a provider*
45 *of health care who participates in the network plan of the carrier.*



1 3. *If a covered therapeutic equivalent listed in subsection 1 is*
2 *not available or a provider of health care deems a covered*
3 *therapeutic equivalent to be medically inappropriate, an alternate*
4 *therapeutic equivalent prescribed by a provider of health care*
5 *must be covered by the carrier.*

6 4. *Except as otherwise provided in subsections 8, 9 and 11, a*
7 *carrier that offers or issues a health benefit plan shall not:*

8 (a) *Require an insured to pay a higher deductible, any*
9 *copayment or coinsurance or require a longer waiting period or*
10 *other condition for coverage to obtain any benefit included in the*
11 *plan pursuant to subsection 1;*

12 (b) *Refuse to issue a health benefit plan or cancel a health*
13 *benefit plan solely because the person applying for or covered by*
14 *the plan uses or may use any such benefit;*

15 (c) *Offer or pay any type of material inducement or financial*
16 *incentive to an insured to discourage the insured from obtaining*
17 *any such benefit;*

18 (d) *Penalize a provider of health care who provides any such*
19 *benefit to an insured, including, without limitation, reducing the*
20 *reimbursement of the provider of health care;*

21 (e) *Offer or pay any type of material inducement, bonus or*
22 *other financial incentive to a provider of health care to deny,*
23 *reduce, withhold, limit or delay access to any such benefit to an*
24 *insured; or*

25 (f) *Impose any other restrictions or delays on the access of an*
26 *insured to any such benefit.*

27 5. *Coverage pursuant to this section for the covered*
28 *dependent of an insured must be the same as for the insured.*

29 6. *Except as otherwise provided in subsection 7, a health*
30 *benefit plan subject to the provisions of this chapter that is*
31 *delivered, issued for delivery or renewed on or after January 1,*
32 *2018, has the legal effect of including the coverage required by*
33 *subsection 1, and any provision of the plan or the renewal which*
34 *is in conflict with this section is void.*

35 7. *A carrier that offers or issues a health benefit plan and*
36 *which is affiliated with a religious organization is not required to*
37 *provide the coverage required by subsection 1 if the carrier objects*
38 *on religious grounds. Such a carrier shall, before the issuance of*
39 *a health benefit plan and before the renewal of such a plan,*
40 *provide to the prospective insured written notice of the coverage*
41 *that the carrier refuses to provide pursuant to this subsection.*

42 8. *A carrier may require an insured to pay a higher*
43 *deductible, copayment or coinsurance for a drug for contraception*
44 *if the insured refuses to accept a therapeutic equivalent of the*
45 *drug.*



1 9. For each of the 18 methods of contraception listed in
2 subsection 10 that have been approved by the Food and Drug
3 Administration, a health benefit plan must include at least one
4 drug or device for contraception within each method for which no
5 deductible, copayment or coinsurance may be charged to the
6 insured, but the carrier may charge a deductible, copayment or
7 coinsurance for any other drug or device that provides the same
8 method of contraception.

9 10. The following 18 methods of contraception must be
10 covered pursuant to this section:

- 11 (a) Voluntary sterilization for women;
- 12 (b) Surgical sterilization implants for women;
- 13 (c) Implantable rods;
- 14 (d) Copper-based intrauterine devices;
- 15 (e) Progesterone-based intrauterine devices;
- 16 (f) Injections;
- 17 (g) Combined estrogen- and progestin-based drugs;
- 18 (h) Progestin-based drugs;
- 19 (i) Extended- or continuous-regimen drugs;
- 20 (j) Estrogen- and progestin-based patches;
- 21 (k) Vaginal contraceptive rings;
- 22 (l) Diaphragms with spermicide;
- 23 (m) Sponges with spermicide;
- 24 (n) Cervical caps with spermicide;
- 25 (o) Female condoms;
- 26 (p) Spermicide;
- 27 (q) Combined estrogen- and progestin-based drugs for
28 emergency contraception or progestin-based drugs for emergency
29 contraception; and
- 30 (r) Ulipristal acetate for emergency contraception.

31 11. Except as otherwise provided in this section and federal
32 law, a carrier may use medical management techniques,
33 including, without limitation, any available clinical evidence, to
34 determine the frequency of or treatment relating to any benefit
35 required by this section or the type of provider of health care to
36 use for such treatment.

37 12. A carrier shall not use medical management techniques
38 to require an insured to use a different method of contraception
39 other than the method prescribed or ordered by a provider of
40 health care.

41 13. A carrier must provide an accessible, transparent and
42 expedited process which is not unduly burdensome by which an
43 insured, or the authorized representative of the insured, may
44 request an exception relating to any medical management



1 *technique used by the carrier to obtain any benefit required by this*
2 *section without a higher deductible, copayment or coinsurance.*

3 *14. As used in this section:*

4 *(a) "Medical management technique" means a practice which*
5 *is used to control the cost or utilization of health care services or*
6 *prescription drug use. The term includes, without limitation, the*
7 *use of step therapy, prior authorization or categorizing drugs and*
8 *devices based on cost, type or method of administration.*

9 *(b) "Network plan" means a health benefit plan offered by a*
10 *carrier under which the financing and delivery of medical care,*
11 *including items and services paid for as medical care, are*
12 *provided, in whole or in part, through a defined set of providers of*
13 *health care under contract with the carrier. The term does not*
14 *include an arrangement for the financing of premiums.*

15 *(c) "Provider of health care" has the meaning ascribed to it in*
16 *NRS 629.031.*

17 *(d) "Therapeutic equivalent" means a drug which:*

18 *(1) Contains an identical amount of the same active*
19 *ingredients in the same dosage and method of administration as*
20 *another drug;*

21 *(2) Is expected to have the same clinical effect when*
22 *administered to a patient pursuant to a prescription or order as*
23 *another drug; and*

24 *(3) Meets any other criteria required by the Food and Drug*
25 *Administration for classification as a therapeutic equivalent.*

26 **Sec. 35. 1. A carrier that offers or issues a health benefit**
27 **plan shall include in the plan coverage for:**

28 *(a) Counseling and support for breastfeeding, including*
29 *breastfeeding equipment, counseling and education during the*
30 *antenatal, perinatal and postpartum period for not more than 1*
31 *year;*

32 *(b) Screening and counseling for interpersonal and domestic*
33 *violence for women at least annually, with initial intervention*
34 *services consisting of education, strategies to reduce harm,*
35 *supportive services or a referral for any other appropriate*
36 *services;*

37 *(c) Behavioral counseling concerning sexually transmitted*
38 *diseases from a provider of health care for sexually active women*
39 *who are at increased risk for such diseases;*

40 *(d) Such prenatal screenings and tests as recommended by the*
41 *American College of Obstetricians and Gynecologists or its*
42 *successor organization;*

43 *(e) Screening for blood pressure abnormalities and diabetes,*
44 *including gestational diabetes, after at least 24 weeks of gestation*
45 *or as ordered by a provider of health care;*



1 (f) Screening for cervical cancer at such intervals as are
2 recommended by the American College of Obstetricians and
3 Gynecologists or its successor organization;

4 (g) Such well-woman preventive visits as recommended by the
5 Health Resources and Services Administration, which must
6 include at least one such visit per year beginning at 14 years of
7 age;

8 (h) A daily dose of 0.4 to 0.8 milligrams of folic acid for
9 women who are capable of becoming pregnant;

10 (i) Aspirin for the prevention of preeclampsia for women who
11 are determined to be at a high risk of that condition after 12 weeks
12 of gestation;

13 (j) Medication to prevent breast cancer for women who are at
14 a high risk of developing breast cancer and have a low risk of
15 adverse side effects from the medication; and

16 (k) Prophylactic ocular tubal medication for the prevention of
17 gonococcal ophthalmia in newborns.

18 2. A carrier must ensure that the benefits required by
19 subsection 1 are made available to an insured through a provider
20 of health care who participates in the network plan of the carrier.

21 3. Except as otherwise provided in subsection 5, a carrier that
22 offers or issues a health benefit plan shall not:

23 (a) Require an insured to pay a higher deductible, any
24 copayment or coinsurance or require a longer waiting period or
25 other condition to obtain any benefit provided in the health benefit
26 plan pursuant to subsection 1;

27 (b) Refuse to issue a health benefit plan or cancel a health
28 benefit plan solely because the person applying for or covered by
29 the plan uses or may use a benefit provided in the health benefit
30 plan pursuant to subsection 1;

31 (c) Offer or pay any type of material inducement or financial
32 incentive to an insured to discourage the insured from obtaining
33 any such benefit;

34 (d) Penalize a provider of health care who provides any such
35 benefit to an insured, including, without limitation, reducing the
36 reimbursement of the provider of health care;

37 (e) Offer or pay any type of material inducement, bonus or
38 other financial incentive to a provider of health care to deny,
39 reduce, withhold, limit or delay access to any such benefit to an
40 insured; or

41 (f) Impose any other restrictions or delays on the access of an
42 insured to any such benefit.

43 4. A health benefit plan subject to the provisions of this
44 chapter that is delivered, issued for delivery or renewed on or after
45 January 1, 2018, has the legal effect of including the coverage



1 *required by subsection 1, and any provision of the plan or the*
2 *renewal which is in conflict with this section is void.*

3 *5. Except as otherwise provided in this section and federal*
4 *law, a carrier may use medical management techniques,*
5 *including, without limitation, any available clinical evidence, to*
6 *determine the frequency of or treatment relating to any benefit*
7 *required by this section or the type of provider of health care to*
8 *use for such treatment.*

9 *6. As used in this section:*

10 *(a) "Medical management technique" means a practice which*
11 *is used to control the cost or utilization of health care services or*
12 *prescription drug use. The term includes, without limitation, the*
13 *use of step therapy, prior authorization or categorizing drugs and*
14 *devices based on cost, type or method of administration.*

15 *(b) "Network plan" means a health benefit plan offered by a*
16 *carrier under which the financing and delivery of medical care,*
17 *including items and services paid for as medical care, are*
18 *provided, in whole or in part, through a defined set of providers of*
19 *health care under contract with the carrier. The term does not*
20 *include an arrangement for the financing of premiums.*

21 *(c) "Provider of health care" has the meaning ascribed to it in*
22 *NRS 629.031.*

23 *Sec. 36. 1. A carrier that offers or issues a health benefit*
24 *plan shall include in the plan coverage for:*

25 *(a) Counseling relating to the dietary needs of adults who are*
26 *at a high risk of chronic diseases;*

27 *(b) Statin preventive medication for persons between the ages*
28 *of 40 and 75 years who do not have a history of cardiovascular*
29 *disease, but who have:*

30 *(1) One or more risk factors for cardiovascular disease;*
31 *and*

32 *(2) A calculated risk of at least 10 percent of acquiring*
33 *cardiovascular disease within the next 10 years;*

34 *(c) Aspirin for persons between the ages of 50 and 59 years*
35 *who have a calculated risk of at least 10 percent of acquiring*
36 *cardiovascular disease within the next 10 years and a life*
37 *expectancy of at least 10 years;*

38 *(d) Vitamin D supplements for persons who are at least 65*
39 *years of age to prevent the person from falling if the person:*

40 *(1) Does not reside in a medical facility or a facility for the*
41 *dependent; and*

42 *(2) Has an increased risk of falls;*

43 *(e) Tuberculosis screenings for latent tuberculosis infection in*
44 *persons with increased risk of contracting tuberculosis;*



1 (f) Screening for high blood pressure to confirm a diagnosis
2 made outside a clinical setting before treatment is commenced;

3 (g) One abdominal aortic screening by ultrasound to detect
4 abdominal aortic aneurisms for men between ages of 65 and 75
5 years who have smoked during their lifetimes;

6 (h) Screening for hepatitis B infection for persons who are at a
7 high risk of contracting hepatitis B;

8 (i) Screening for hepatitis C infection for persons who are at a
9 high risk of contracting hepatitis C;

10 (j) One screening for hepatitis C infection for persons born
11 between 1945 and 1965;

12 (k) Screening for osteoporosis for women who:

13 (1) Are 65 years of age and older; or

14 (2) Have a risk of fracturing a bone equal to or greater
15 than that of a woman who is 65 years of age without any
16 additional risk factors;

17 (l) Screening for alcohol misuse for persons 18 years of age or
18 older;

19 (m) If a person engages in risky or hazardous consumption of
20 alcohol, as determined by the screening described in paragraph
21 (l), behavioral counseling to reduce such behavior; and

22 (n) Screening for lung cancer using low-dose computed
23 tomography for persons between the ages of 55 and 80 years who:

24 (1) Have a smoking history of 30 pack-years;

25 (2) Smoke or have stopped smoking within the immediately
26 preceding 15 years; and

27 (3) Do not suffer from a health problem that substantially
28 limits the life expectancy of the person or the willingness of the
29 person to undergo curative surgery.

30 2. A carrier must ensure that the benefits required by
31 subsection 1 are made available to an insured through a provider
32 of health care who participates in the network plan of the carrier.

33 3. Except as otherwise provided in subsection 5, a carrier that
34 offers or issues a health benefit plan shall not:

35 (a) Require an insured to pay a higher deductible, any
36 copayment or coinsurance or require a longer waiting period or
37 other condition to obtain any benefit provided in the health benefit
38 plan pursuant to subsection 1;

39 (b) Refuse to issue a health benefit plan or cancel a health
40 benefit plan solely because the person applying for or covered by
41 the plan uses or may use a benefit provided in the health benefit
42 plan pursuant to subsection 1;

43 (c) Offer or pay any type of material inducement or financial
44 incentive to an insured to discourage the insured from obtaining
45 any such benefit;



1 (d) Penalize a provider of health care who provides any such
2 benefit to an insured, including, without limitation, reducing the
3 reimbursement of the provider of health care;

4 (e) Offer or pay any type of material inducement, bonus or
5 other financial incentive to a provider of health care to deny,
6 reduce, withhold, limit or delay access to any such benefit to an
7 insured; or

8 (f) Impose any other restrictions or delays on the access of an
9 insured to any such benefit.

10 4. A health benefit plan subject to the provisions of this
11 chapter that is delivered, issued for delivery or renewed on or after
12 January 1, 2018, has the legal effect of including the coverage
13 required by subsection 1, and any provision of the plan or the
14 renewal which is in conflict with this section is void.

15 5. Except as otherwise provided in this section and federal
16 law, a carrier may use medical management techniques,
17 including, without limitation, any available clinical evidence, to
18 determine the frequency of or treatment relating to any benefit
19 required by this section or the type of provider of health care to
20 use for such treatment.

21 6. As used in this section:

22 (a) "Computed tomography" means the process of producing
23 sectional and three-dimensional images using external ionizing
24 radiation.

25 (b) "Facility for the dependent" has the meaning ascribed to it
26 in NRS 449.0045.

27 (c) "Medical facility" has the meaning ascribed to it in
28 NRS 449.0151.

29 (d) "Medical management technique" means a practice which
30 is used to control the cost or utilization of health care services or
31 prescription drug use. The term includes, without limitation, the
32 use of step therapy, prior authorization or categorizing drugs and
33 devices based on cost, type or method of administration.

34 (e) "Network plan" means a health benefit plan offered by a
35 carrier under which the financing and delivery of medical care,
36 including items and services paid for as medical care, are
37 provided, in whole or in part, through a defined set of providers of
38 health care under contract with the carrier. The term does not
39 include an arrangement for the financing of premiums.

40 (f) "Pack-year" means the product of the number of packs of
41 cigarettes smoked per day and the number of years that the person
42 has smoked.

43 (g) "Provider of health care" has the meaning ascribed to it in
44 NRS 629.031.



1 **Sec. 37. 1. A carrier that offers or issues a health benefit**
2 **plan shall include in the plan coverage for:**

3 (a) *Screening for depression;*

4 (b) *All vaccinations recommended by the Advisory Committee*
5 *on Immunization Practices of the Centers for Disease Control and*
6 *Prevention of the United States Department of Health and Human*
7 *Services or its successor organization;*

8 (c) *Screening, tests and counseling for such other health*
9 *conditions and diseases as recommended by the Health Resources*
10 *and Services Administration for persons less than 18 years of age;*
11 *and*

12 (d) *Assessments relating to height, weight, body mass index*
13 *and medical history for persons less than 18 years of age.*

14 2. *A carrier must ensure that the benefits required by*
15 *subsection 1 are made available to an insured through a provider*
16 *of health care who participates in the network plan of the carrier.*

17 3. *Except as otherwise provided in subsection 5, a carrier that*
18 *offers or issues a health benefit plan shall not:*

19 (a) *Require an insured to pay a higher deductible, any*
20 *copayment or coinsurance or require a longer waiting period or*
21 *other condition to obtain any benefit provided in the health benefit*
22 *plan pursuant to subsection 1;*

23 (b) *Refuse to issue a health benefit plan or cancel a health*
24 *benefit plan solely because the person applying for or covered by*
25 *the plan uses or may use a benefit provided in the health benefit*
26 *plan pursuant to subsection 1;*

27 (c) *Offer or pay any type of material inducement or financial*
28 *incentive to an insured to discourage the insured from obtaining*
29 *any such benefit;*

30 (d) *Penalize a provider of health care who provides any such*
31 *benefit to an insured, including, without limitation, reducing the*
32 *reimbursement of the provider of health care;*

33 (e) *Offer or pay any type of material inducement, bonus or*
34 *other financial incentive to a provider of health care to deny,*
35 *reduce, withhold, limit or delay access to any such benefit to an*
36 *insured; or*

37 (f) *Impose any other restrictions or delays on the access of an*
38 *insured to any such benefit.*

39 4. *A health benefit plan subject to the provisions of this*
40 *chapter that is delivered, issued for delivery or renewed on or after*
41 *January 1, 2018, has the legal effect of including the coverage*
42 *required by subsection 1, and any provision of the plan or the*
43 *renewal which is in conflict with this section is void.*

44 5. *Except as otherwise provided in this section and federal*
45 *law, a carrier may use medical management techniques,*



1 *including, without limitation, any available clinical evidence, to*
2 *determine the frequency of or treatment relating to any benefit*
3 *required by this section or the type of provider of health care to*
4 *use for such treatment.*

5 *6. As used in this section:*

6 *(a) "Medical management technique" means a practice which*
7 *is used to control the cost or utilization of health care services or*
8 *prescription drug use. The term includes, without limitation, the*
9 *use of step therapy, prior authorization or categorizing drugs and*
10 *devices based on cost, type or method of administration.*

11 *(b) "Network plan" means a health benefit plan offered by a*
12 *carrier under which the financing and delivery of medical care, are*
13 *including items and services paid for as medical care, are*
14 *provided, in whole or in part, through a defined set of providers of*
15 *health care under contract with the carrier. The term does not*
16 *include an arrangement for the financing of premiums.*

17 *(c) "Provider of health care" has the meaning ascribed to it in*
18 *NRS 629.031.*

19 **Sec. 38. 1. A health benefit plan must provide coverage for**
20 **benefits payable for expenses incurred for:**

21 *(a) Deoxyribonucleic acid testing for high-risk strains of the*
22 *human papillomavirus every 3 years for women 30 years of age or*
23 *older; and*

24 *(b) Administering the human papillomavirus vaccine as*
25 *recommended for vaccination by a competent authority, including,*
26 *without limitation, the Centers for Disease Control and Prevention*
27 *of the United States Department of Health and Human Services,*
28 *the Food and Drug Administration or the manufacturer of the*
29 *vaccine.*

30 **2. A carrier must ensure that the benefits required by**
31 **subsection 1 are made available to an insured through a provider**
32 **of health care who participates in the network plan of the carrier.**

33 **3. Except as otherwise provided in subsection 5, a carrier that**
34 **offers or issues a health benefit plan shall not:**

35 *(a) Require an insured to pay a higher deductible, any*
36 *copayment or coinsurance or require a longer waiting period or*
37 *other condition to obtain any benefit provided in the health benefit*
38 *plan pursuant to subsection 1;*

39 *(b) Refuse to issue a health benefit plan or cancel a health*
40 *benefit plan solely because the person applying for or covered by*
41 *the plan uses or may use a benefit provided in the health benefit*
42 *plan pursuant to subsection 1;*

43 *(c) Offer or pay any type of material inducement or financial*
44 *incentive to an insured to discourage the insured from obtaining*
45 *any such benefit;*



1 (d) Penalize a provider of health care who provides any such
2 benefit to an insured, including, without limitation, reducing the
3 reimbursement of the provider of health care;

4 (e) Offer or pay any type of material inducement, bonus or
5 other financial incentive to a provider of health care to deny,
6 reduce, withhold, limit or delay access to any such benefit to an
7 insured; or

8 (f) Impose any other restrictions or delays on the access of an
9 insured to any such benefit.

10 4. A health benefit plan subject to the provisions of this
11 chapter which is delivered, issued for delivery or renewed on or
12 after January 1, 2018, has the legal effect of including the
13 coverage required by subsection 1, and any provision of the plan
14 or the renewal which is in conflict with this section is void.

15 5. Except as otherwise provided in this section and federal
16 law, a carrier may use medical management techniques,
17 including, without limitation, any available clinical evidence, to
18 determine the frequency of or treatment relating to any benefit
19 required by this section or the type of provider of health care to
20 use for such treatment.

21 6. As used in this section:

22 (a) "Human papillomavirus vaccine" means the Quadrivalent
23 Human Papillomavirus Recombinant Vaccine or its successor
24 which is approved by the Food and Drug Administration for the
25 prevention of human papillomavirus infection and cervical
26 cancer.

27 (b) "Medical management technique" means a practice which
28 is used to control the cost or utilization of health care services or
29 prescription drug use. The term includes, without limitation, the
30 use of step therapy, prior authorization or categorizing drugs and
31 devices based on cost, type or method of administration.

32 (c) "Network plan" means a health benefit plan offered by a
33 carrier under which the financing and delivery of medical care,
34 including items and services paid for as medical care, are
35 provided, in whole or in part, through a defined set of providers of
36 health care under contract with the carrier. The term does not
37 include an arrangement for the financing of premiums.

38 (d) "Provider of health care" has the meaning ascribed to it in
39 NRS 629.031.

40 **Sec. 39. 1. A health benefit plan must provide coverage for**
41 **benefits payable for expenses incurred for:**

42 (a) A mammogram every 2 years, or annually if ordered by a
43 provider of health care, for women 40 years of age or older;

44 (b) Counseling concerning genetic testing for breast cancer for
45 women who are at a high risk of developing breast cancer; and



1 (c) *Counseling concerning breast cancer chemoprevention for*
2 *women who are at risk of developing breast cancer.*

3 2. *A carrier must ensure that the benefits required by*
4 *subsection 1 are made available to an insured through a provider*
5 *of health care who participates in the network plan of the carrier.*

6 3. *Except as otherwise provided in subsection 5, a carrier that*
7 *offers or issues a health benefit plan shall not:*

8 (a) *Require an insured to pay a higher deductible, any*
9 *copayment or coinsurance or require a longer waiting period or*
10 *other condition to obtain any benefit provided in the health benefit*
11 *plan pursuant to subsection 1;*

12 (b) *Refuse to issue a health benefit plan or cancel a health*
13 *benefit plan solely because the person applying for or covered by*
14 *the plan uses or may use a benefit provided in the health benefit*
15 *plan pursuant to subsection 1;*

16 (c) *Offer or pay any type of material inducement or financial*
17 *incentive to an insured to discourage the insured from obtaining*
18 *any such benefit;*

19 (d) *Penalize a provider of health care who provides any such*
20 *benefit to an insured, including, without limitation, reducing the*
21 *reimbursement of the provider of health care;*

22 (e) *Offer or pay any type of material inducement, bonus or*
23 *other financial incentive to a provider of health care to deny,*
24 *reduce, withhold, limit or delay access to any such benefit to an*
25 *insured; or*

26 (f) *Impose any other restrictions or delays on the access of an*
27 *insured to any such benefit.*

28 4. *A health benefit plan subject to the provisions of this*
29 *chapter which is delivered, issued for delivery or renewed on or*
30 *after January 1, 2018, has the legal effect of including the*
31 *coverage required by subsection 1, and any provision of the plan*
32 *or the renewal which is in conflict with this section is void.*

33 5. *Except as otherwise provided in this section and federal*
34 *law, a carrier may use medical management techniques,*
35 *including, without limitation, any available clinical evidence, to*
36 *determine the frequency of or treatment relating to any benefit*
37 *required by this section or the type of provider of health care to*
38 *use for such treatment.*

39 6. *As used in this section:*

40 (a) *“Medical management technique” means a practice which*
41 *is used to control the cost or utilization of health care services or*
42 *prescription drug use. The term includes, without limitation, the*
43 *use of step therapy, prior authorization or categorizing drugs and*
44 *devices based on cost, type or method of administration.*



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1 (b) "Network plan" means a health benefit plan offered by a
2 carrier under which the financing and delivery of medical care,
3 including items and services paid for as medical care, are
4 provided, in whole or in part, through a defined set of providers of
5 health care under contract with the carrier. The term does not
6 include an arrangement for the financing of premiums.

7 (c) "Provider of health care" has the meaning ascribed to it in
8 NRS 629.031.

9 **Sec. 40.** NRS 689C.159 is hereby amended to read as follows:
10 689C.159 The provisions of NRS 689C.156 ~~and 689C.190~~ do
11 not apply to health benefit plans offered by a carrier if the carrier
12 makes the health benefit plan available in the small employer
13 market only through a bona fide association.

14 **Sec. 41.** NRS 689C.190 is hereby amended to read as follows:
15 689C.190 ~~[A carrier serving small employers that issues a~~
16 ~~health benefit plan shall not deny, exclude or limit a benefit for a~~
17 ~~preexisting condition.]~~

18 1. A carrier shall offer or issue a health benefit plan to any
19 person regardless of the health status of the person or any
20 dependent of the person. Such health status includes, without
21 limitation:

22 (a) Any preexisting medical condition of the person, including,
23 without limitation, any physical or mental illness;

24 (b) The claims history of the person, including, without
25 limitation, any prior health care services received by the person;

26 (c) Genetic information relating to the person; and

27 (d) Any increased risk for illness, injury or any other medical
28 condition of the person, including, without limitation, any medical
29 condition caused by an act of domestic violence.

30 2. A carrier that offers or issues a health benefit plan shall
31 not:

32 (a) Deny, limit or exclude a benefit based on the health status
33 of an insured; or

34 (b) Require an insured, as a condition of enrollment or
35 renewal, to pay a premium, deductible, copay or coinsurance
36 based on his or her health status which is greater than the
37 premium, deductible, copay or coinsurance charged to a similarly
38 situated insured or the covered dependent of such an insured who
39 does not have such a health status.

40 3. A carrier that offers or issues a health benefit plan shall
41 not adjust a premium, deductible, copay or coinsurance for any
42 insured on the basis of genetic information relating to the insured
43 or the covered dependent of the insured.



1 **Sec. 42.** NRS 689C.193 is hereby amended to read as follows:

2 689C.193 1. A carrier shall not place any restriction on a
3 small employer or an eligible employee or a dependent of the
4 eligible employee as a condition of being a participant in or a
5 beneficiary of a health benefit plan that is inconsistent with NRS
6 689C.015 to 689C.355, inclusive **H** , *and sections 34 to 39,*
7 *inclusive, of this act.*

8 2. A carrier that offers health insurance coverage to small
9 employers pursuant to this chapter shall not establish rules of
10 eligibility, including, but not limited to, rules which define
11 applicable waiting periods, for the initial or continued enrollment
12 under a health benefit plan offered by the carrier that are based on
13 the following factors relating to the eligible employee or a
14 dependent of the eligible employee:

15 (a) Health status.

16 (b) Medical condition, including physical and mental illnesses,
17 or both.

18 (c) Claims experience.

19 (d) Receipt of health care.

20 (e) Medical history.

21 (f) Genetic information.

22 (g) Evidence of insurability, including conditions which arise
23 out of acts of domestic violence.

24 (h) Disability.

25 3. Except as otherwise provided in NRS 689C.190, the
26 provisions of subsection 1 do not require a carrier to provide
27 particular benefits other than those that would otherwise be provided
28 under the terms of the health benefit plan or coverage.

29 4. As a condition of enrollment or continued enrollment under
30 a health benefit plan, a carrier shall not require any person to pay a
31 premium or contribution that is greater than the premium or
32 contribution for a similarly situated person covered by similar
33 coverage on the basis of any factor described in subsection 2 in
34 relation to the person or a dependent of the person.

35 5. Nothing in this section:

36 (a) Restricts the amount that a small employer may be charged
37 for coverage by a carrier;

38 (b) Prevents a carrier from establishing premium discounts or
39 rebates or from modifying otherwise applicable copayments or
40 deductibles in return for adherence by the insured person to
41 programs of health promotion and disease prevention; or

42 (c) Precludes a carrier from establishing rules relating to
43 employer contribution or group participation when offering health
44 insurance coverage to small employers in this State.

45 6. As used in this section:



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1 (a) "Contribution" means the minimum employer contribution
2 toward the premium for enrollment of participants and beneficiaries
3 in a health benefit plan.

4 (b) "Group participation" means the minimum number of
5 participants or beneficiaries that must be enrolled in a health benefit
6 plan in relation to a specified percentage or number of eligible
7 persons or employees of the employer.

8 **Sec. 43.** NRS 689C.194 is hereby amended to read as follows:

9 689C.194 1. Except as otherwise provided in this subsection,
10 a health benefit plan issued pursuant to this chapter ~~that includes~~
11 ~~coverage for maternity care and pediatric care for newborn infants~~
12 may not restrict benefits for any length of stay in a hospital in
13 connection with childbirth for a mother or newborn infant covered
14 by the plan to:

15 (a) Less than 48 hours after a normal vaginal delivery; and

16 (b) Less than 96 hours after a cesarean section.

17 ↪ If a different length of stay is provided in the guidelines
18 established by the American College of Obstetricians and
19 Gynecologists, or its successor organization, and the American
20 Academy of Pediatrics, or its successor organization, the health
21 benefit plan may follow such guidelines in lieu of following the
22 length of stay set forth above. The provisions of this subsection do
23 not apply to any health benefit plan in any case in which the
24 decision to discharge the mother or newborn infant before the
25 expiration of the minimum length of stay set forth in this subsection
26 is made by the attending physician of the mother or newborn infant.

27 2. Nothing in this section requires a mother to:

28 (a) Deliver her baby in a hospital; or

29 (b) Stay in a hospital for a fixed period following the birth of her
30 child.

31 3. A health benefit plan ~~that offers coverage for maternity care~~
32 ~~and pediatric care of newborn infants~~ may not:

33 (a) Deny a mother or her newborn infant coverage or continued
34 coverage under the terms of the plan if the sole purpose of the denial
35 of coverage or continued coverage is to avoid the requirements of
36 this section;

37 (b) Provide monetary payments or rebates to a mother to
38 encourage her to accept less than the minimum protection available
39 pursuant to this section;

40 (c) Penalize, or otherwise reduce or limit, the reimbursement of
41 an attending provider of health care because the attending provider
42 of health care provided care to a mother or newborn infant in
43 accordance with the provisions of this section;

44 (d) Provide incentives of any kind to an attending physician to
45 induce the attending physician to provide care to a mother or



1 newborn infant in a manner that is inconsistent with the provisions
2 of this section; or

3 (e) Except as otherwise provided in subsection 4, restrict
4 benefits for any portion of a hospital stay required pursuant to the
5 provisions of this section in a manner that is less favorable than the
6 benefits provided for any preceding portion of that stay.

7 4. Nothing in this section:

8 (a) Prohibits a health benefit plan or carrier from imposing a
9 deductible, coinsurance or other mechanism for sharing costs
10 relating to benefits for hospital stays in connection with childbirth
11 for a mother or newborn child covered by the plan, except that such
12 coinsurance or other mechanism for sharing costs for any portion of
13 a hospital stay required by this section may not be greater than the
14 coinsurance or other mechanism for any preceding portion of that
15 stay.

16 (b) Prohibits an arrangement for payment between a health
17 benefit plan or carrier and a provider of health care that uses
18 capitation or other financial incentives, if the arrangement is
19 designed to provide services efficiently and consistently in the best
20 interest of the mother and her newborn infant.

21 (c) Prevents a health benefit plan or carrier from negotiating
22 with a provider of health care concerning the level and type of
23 reimbursement to be provided in accordance with this section.

24 *5. A health benefit plan subject to the provisions of this*
25 *chapter that is delivered, issued for delivery or renewed on or after*
26 *January 1, 2018, has the legal effect of including the coverage*
27 *required by subsection 1, and any provision of the plan or the*
28 *renewal which is in conflict with this section is void.*

29 *6. As used in this section, "provider of health care" has the*
30 *meaning ascribed to it in NRS 629.031.*

31 **Sec. 44.** NRS 689C.270 is hereby amended to read as follows:

32 689C.270 1. The Commissioner shall adopt regulations
33 which require a carrier to file with the Commissioner, for approval
34 by the Commissioner, a disclosure offered by the carrier to a small
35 employer. The disclosure must include:

36 (a) Any significant exception, reduction or limitation that
37 applies to the policy;

38 (b) Any restrictions on payments for emergency care, including,
39 without limitation, related definitions of an emergency and medical
40 necessity;

41 (c) The provision of the health benefit plan concerning the
42 carrier's right to change premium rates and the characteristics, other
43 than claim experience, that affect changes in premium rates;

44 (d) The provisions relating to renewability of policies and
45 contracts; *and*



1 (e) ~~The provisions relating to any preexisting condition; and~~
2 ~~(f)~~ Any other information that the Commissioner finds
3 necessary to provide for full and fair disclosure of the provisions of
4 a policy or contract of insurance issued pursuant to this chapter.

5 2. The disclosure must be written in language which is easily
6 understood and must include a statement that the disclosure is a
7 summary of the policy only, and that the policy itself should be read
8 to determine the governing contractual provisions.

9 3. The Commissioner shall not approve any proposed
10 disclosure submitted to the Commissioner pursuant to this section
11 which does not comply with the requirements of this section and the
12 applicable regulations.

13 4. The carrier shall make available to a small employer or a
14 producer acting on behalf of a small employer, upon request, a copy
15 of the disclosure approved by the Commissioner pursuant to this
16 section for policies of health insurance for which that employer may
17 be eligible.

18 **Sec. 45.** NRS 689C.425 is hereby amended to read as follows:

19 689C.425 A voluntary purchasing group and any contract
20 issued to such a group pursuant to NRS 689C.360 to 689C.600,
21 inclusive, are subject to the provisions of NRS 689C.015 to
22 689C.355, inclusive, *and sections 34 to 39, inclusive, of this act*, to
23 the extent applicable and not in conflict with the express provisions
24 of NRS 687B.408 and 689C.360 to 689C.600, inclusive.

25 **Sec. 46.** NRS 689C.440 is hereby amended to read as follows:

26 689C.440 1. The Commissioner shall adopt regulations
27 which require a carrier to file with the Commissioner, for approval
28 by the Commissioner, a disclosure offered by the carrier to a
29 voluntary purchasing group. The disclosure must include:

30 (a) Any significant exception, prior authorization, reduction or
31 limitation that applies to a contract;

32 (b) Any restrictions on payments for emergency care, including,
33 without limitation, related definitions of an emergency and medical
34 necessity;

35 (c) Any provision of a contract concerning the carrier's right to
36 change premium rates and the characteristics, other than claim
37 experience, that affect changes in premium rates;

38 (d) The provisions relating to renewability of contracts; *and*

39 (e) ~~The provisions relating to any preexisting condition; and~~
40 ~~(f)~~ Any other information that the Commissioner finds
41 necessary to provide for full and fair disclosure of the provisions of
42 a contract.

43 2. The disclosure must be written in a language which is easily
44 understood and must include a statement that the disclosure is a



1 summary of the contract only, and that the contract itself should be
2 read to determine the governing contractual provisions.

3 3. The Commissioner shall not approve any proposed
4 disclosure submitted to the Commissioner pursuant to this section
5 which does not comply with the requirements of this section and the
6 applicable regulations.

7 **Sec. 47.** Chapter 695A of NRS is hereby amended by adding
8 thereto the provisions set forth as sections 48 to 55, inclusive, of this
9 act.

10 **Sec. 48. 1.** *A society shall offer or issue a benefit contract*
11 *to any person regardless of the health status of the person or any*
12 *dependent of the person. Such health status includes, without*
13 *limitation:*

14 (a) *Any preexisting medical condition of the person, including,*
15 *without limitation, any physical or mental illness;*

16 (b) *The claims history of the person, including, without*
17 *limitation, any prior health care services received by the person;*

18 (c) *Genetic information relating to the person; and*

19 (d) *Any increased risk for illness, injury or any other medical*
20 *condition of the person, including, without limitation, any medical*
21 *condition caused by an act of domestic violence.*

22 2. *A society that offers or issues a benefit contract shall not:*

23 (a) *Deny, limit or exclude a benefit based on the health status*
24 *of an insured; or*

25 (b) *Require an insured, as a condition of enrollment or*
26 *renewal, to pay a premium, deductible, copay or coinsurance*
27 *based on his or her health status which is greater than the*
28 *premium, deductible, copay or coinsurance charged to a similarly*
29 *situated insured or the covered dependent of such an insured who*
30 *does not have such a health status.*

31 3. *A society that offers or issues a benefit contract shall not*
32 *adjust a premium, deductible, copay or coinsurance for any*
33 *insured on the basis of genetic information relating to the insured*
34 *or the covered dependent of the insured.*

35 **Sec. 49. 1.** *A society that offers or issues a benefit contract*
36 *which provides coverage for dependent children shall continue to*
37 *make such coverage available for an adult child of an insured*
38 *until such child reaches 26 years of age.*

39 2. *Nothing in this section shall be construed as requiring a*
40 *society to make coverage available for a dependent of an adult*
41 *child of an insured.*

42 **Sec. 49.5. 1.** *Except as otherwise provided in subsection 7,*
43 *a society that offers or issues a benefit contract shall include in the*
44 *plan coverage for:*



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1 (a) *Up to a 12-month supply, per prescription, of any type of*
2 *drug for contraception or its therapeutic equivalent which is:*

- 3 (1) *Lawfully prescribed or ordered;*
4 (2) *Approved by the Food and Drug Administration;*
5 (3) *Listed in subsection 10; and*
6 (4) *Dispensed in accordance with section 11.3 of this act;*

7 (b) *Any type of device for contraception which is:*

- 8 (1) *Lawfully prescribed or ordered;*
9 (2) *Approved by the Food and Drug Administration; and*
10 (3) *Listed in subsection 10;*

11 (c) *Insertion of a device for contraception or removal of such a*
12 *device if the device was inserted while the insured was covered by*
13 *the same benefit contract;*

14 (d) *Education and counseling relating to the initiation of the*
15 *use of contraception and any necessary follow-up after initiating*
16 *such use;*

17 (e) *Management of side effects relating to contraception; and*

18 (f) *Voluntary sterilization for women.*

19 2. *A society must ensure that the benefits required by*
20 *subsection 1 are made available to an insured through a provider*
21 *of health care who participates in the network plan of the society.*

22 3. *If a covered therapeutic equivalent listed in subsection 1 is*
23 *not available or a provider of health care deems a covered*
24 *therapeutic equivalent to be medically inappropriate, an alternate*
25 *therapeutic equivalent prescribed by a provider of health care*
26 *must be covered by the society.*

27 4. *Except as otherwise provided in subsections 8, 9 and 11, a*
28 *society that offers or issues a benefit contract shall not:*

29 (a) *Require an insured to pay a higher deductible, any*
30 *copayment or coinsurance or require a longer waiting period or*
31 *other condition for coverage to obtain any benefit included in the*
32 *plan pursuant to subsection 1;*

33 (b) *Refuse to issue a benefit contract or cancel a benefit*
34 *contract solely because the person applying for or covered by the*
35 *plan uses or may use any such benefit;*

36 (c) *Offer or pay any type of material inducement or financial*
37 *incentive to an insured to discourage the insured from obtaining*
38 *any such benefit;*

39 (d) *Penalize a provider of health care who provides any such*
40 *benefit to an insured, including, without limitation, reducing the*
41 *reimbursement of the provider of health care;*

42 (e) *Offer or pay any type of material inducement, bonus or*
43 *other financial incentive to a provider of health care to deny,*
44 *reduce, withhold, limit or delay access to any such benefit to an*
45 *insured; or*



1 (f) *Impose any other restrictions or delays on the access of an*
2 *insured to any such benefit.*

3 5. *Coverage pursuant to this section for the covered*
4 *dependent of an insured must be the same as for the insured.*

5 6. *Except as otherwise provided in subsection 7, a benefit*
6 *contract subject to the provisions of this chapter that is delivered,*
7 *issued for delivery or renewed on or after January 1, 2018, has the*
8 *legal effect of including the coverage required by subsection 1,*
9 *and any provision of the plan or the renewal which is in conflict*
10 *with this section is void.*

11 7. *A society that offers or issues a benefit contract and which*
12 *is affiliated with a religious organization is not required to provide*
13 *the coverage required by subsection 1 if the society objects on*
14 *religious grounds. Such a society shall, before the issuance of a*
15 *benefit contract and before the renewal of such a plan, provide to*
16 *the prospective insured written notice of the coverage that the*
17 *society refuses to provide pursuant to this subsection.*

18 8. *A society may require an insured to pay a higher*
19 *deductible, copayment or coinsurance for a drug for contraception*
20 *if the insured refuses to accept a therapeutic equivalent of the*
21 *drug.*

22 9. *For each of the 18 methods of contraception listed in*
23 *subsection 10 that have been approved by the Food and Drug*
24 *Administration, a benefit contract must include at least one drug*
25 *or device for contraception within each method for which no*
26 *deductible, copayment or coinsurance may be charged to the*
27 *insured, but the society may charge a deductible, copayment or*
28 *coinsurance for any other drug or device that provides the same*
29 *method of contraception.*

30 10. *The following 18 methods of contraception must be*
31 *covered pursuant to this section:*

- 32 (a) *Voluntary sterilization for women;*
33 (b) *Surgical sterilization implants for women;*
34 (c) *Implantable rods;*
35 (d) *Copper-based intrauterine devices;*
36 (e) *Progesterone-based intrauterine devices;*
37 (f) *Injections;*
38 (g) *Combined estrogen- and progestin-based drugs;*
39 (h) *Progestin-based drugs;*
40 (i) *Extended- or continuous-regimen drugs;*
41 (j) *Estrogen- and progestin-based patches;*
42 (k) *Vaginal contraceptive rings;*
43 (l) *Diaphragms with spermicide;*
44 (m) *Sponges with spermicide;*
45 (n) *Cervical caps with spermicide;*



1 (o) Female condoms;

2 (p) Spermicide;

3 (q) Combined estrogen- and progestin-based drugs for
4 emergency contraception or progestin-based drugs for emergency
5 contraception; and

6 (r) Ulipristal acetate for emergency contraception.

7 11. Except as otherwise provided in this section and federal
8 law, a society may use medical management techniques,
9 including, without limitation, any available clinical evidence, to
10 determine the frequency of or treatment relating to any benefit
11 required by this section or the type of provider of health care to
12 use for such treatment.

13 12. A society shall not use medical management techniques to
14 require an insured to use a different method of contraception
15 other than the method prescribed or ordered by a provider of
16 health care.

17 13. A society must provide an accessible, transparent and
18 expedited process which is not unduly burdensome by which an
19 insured, or the authorized representative of the insured, may
20 request an exception relating to any medical management
21 technique used by the society to obtain any benefit required by this
22 section without a higher deductible, copayment or coinsurance.

23 14. As used in this section:

24 (a) "Medical management technique" means a practice which
25 is used to control the cost or utilization of health care services or
26 prescription drug use. The term includes, without limitation, the
27 use of step therapy, prior authorization or categorizing drugs and
28 devices based on cost, type or method of administration.

29 (b) "Network plan" means a benefit contract offered by a
30 society under which the financing and delivery of medical care,
31 including items and services paid for as medical care, are
32 provided, in whole or in part, through a defined set of providers of
33 health care under contract with the society. The term does not
34 include an arrangement for the financing of premiums.

35 (c) "Provider of health care" has the meaning ascribed to it in
36 NRS 629.031.

37 (d) "Therapeutic equivalent" means a drug which:

38 (1) Contains an identical amount of the same active
39 ingredients in the same dosage and method of administration as
40 another drug;

41 (2) Is expected to have the same clinical effect when
42 administered to a patient pursuant to a prescription or order as
43 another drug; and

44 (3) Meets any other criteria required by the Food and Drug
45 Administration for classification as a therapeutic equivalent.



1 **Sec. 50. 1. A society that offers or issues a benefit contract**
2 **shall include in the contract coverage for:**

3 (a) **Counseling and support for breastfeeding, including**
4 **breastfeeding equipment, counseling and education during the**
5 **antenatal, perinatal and postpartum period for not more than 1**
6 **year;**

7 (b) **Screening and counseling for interpersonal and domestic**
8 **violence for women at least annually, with initial intervention**
9 **services consisting of education, strategies to reduce harm,**
10 **supportive services or a referral for any other appropriate**
11 **services;**

12 (c) **Behavioral counseling concerning sexually transmitted**
13 **diseases from a provider of health care for sexually active women**
14 **who are at increased risk for such diseases;**

15 (d) **Such prenatal screenings and tests as recommended by the**
16 **American College of Obstetricians and Gynecologists or its**
17 **successor organization;**

18 (e) **Screening for blood pressure abnormalities and diabetes,**
19 **including gestational diabetes, after at least 24 weeks of gestation**
20 **or as ordered by a provider of health care;**

21 (f) **Screening for cervical cancer at such intervals as are**
22 **recommended by the American College of Obstetricians and**
23 **Gynecologists or its successor organization;**

24 (g) **Such well-woman preventive visits as recommended by the**
25 **Health Resources and Services Administration, which must**
26 **include at least one such visit per year beginning at 14 years of**
27 **age;**

28 (h) **A daily dose of 0.4 to 0.8 milligrams of folic acid for**
29 **women who are capable of becoming pregnant;**

30 (i) **Aspirin for the prevention of preeclampsia for women who**
31 **are determined to be at a high risk of that condition after 12 weeks**
32 **of gestation;**

33 (j) **Medication to prevent breast cancer for women who are at**
34 **a high risk of developing breast cancer and have a low risk of**
35 **adverse side effects from the medication; and**

36 (k) **Prophylactic ocular tubal medication for the prevention of**
37 **gonococcal ophthalmia in newborns.**

38 2. **A society must ensure that the benefits required by**
39 **subsection 1 are made available to an insured through a provider**
40 **of health care who participates in the network plan of the society.**

41 3. **Except as otherwise provided in subsection 5, a society that**
42 **offers or issues a benefit contract shall not:**

43 (a) **Require an insured to pay a higher deductible, any**
44 **copayment or coinsurance or require a longer waiting period or**



1 *other condition to obtain any benefit provided in the benefit*
2 *contract pursuant to subsection 1;*

3 (b) *Refuse to issue a benefit contract or cancel a benefit*
4 *contract solely because the person applying for or covered by the*
5 *contract uses or may use a benefit provided in the benefit contract*
6 *pursuant to subsection 1;*

7 (c) *Offer or pay any type of material inducement or financial*
8 *incentive to an insured to discourage the insured from obtaining*
9 *any such benefit;*

10 (d) *Penalize a provider of health care who provides any such*
11 *benefit to an insured, including, without limitation, reducing the*
12 *reimbursement of the provider of health care;*

13 (e) *Offer or pay any type of material inducement, bonus or*
14 *other financial incentive to a provider of health care to deny,*
15 *reduce, withhold, limit or delay access to any such benefit to an*
16 *insured; or*

17 (f) *Impose any other restrictions or delays on the access of an*
18 *insured to any such benefit.*

19 4. *A benefit contract subject to the provisions of this chapter*
20 *that is delivered, issued for delivery or renewed on or after*
21 *January 1, 2018, has the legal effect of including the coverage*
22 *required by subsection 1, and any provision of the contract or the*
23 *renewal which is in conflict with this section is void.*

24 5. *Except as otherwise provided in this section and federal*
25 *law, a society may use medical management techniques,*
26 *including, without limitation, any available clinical evidence, to*
27 *determine the frequency of or treatment relating to any benefit*
28 *required by this section or the type of provider of health care to*
29 *use for such treatment.*

30 6. *As used in this section:*

31 (a) *“Medical management technique” means a practice which*
32 *is used to control the cost or utilization of health care services or*
33 *prescription drug use. The term includes, without limitation, the*
34 *use of step therapy, prior authorization or categorizing drugs and*
35 *devices based on cost, type or method of administration.*

36 (b) *“Network plan” means a benefit contract offered by a*
37 *society under which the financing and delivery of medical care, are*
38 *including items and services paid for as medical care, are*
39 *provided, in whole or in part, through a defined set of providers of*
40 *health care under contract with the society. The term does not*
41 *include an arrangement for the financing of premiums.*

42 (c) *“Provider of health care” has the meaning ascribed to it in*
43 *NRS 629.031.*

44 **Sec. 51. 1.** *A society that offers or issues a benefit contract*
45 *shall include in the contract coverage for:*



- 1 (a) *Counseling relating to the dietary needs of adults who are*
2 *at a high risk of chronic diseases;*
- 3 (b) *Statin preventive medication for persons between the ages*
4 *of 40 and 75 years who do not have a history of cardiovascular*
5 *disease, but who have:*
 - 6 (1) *One or more risk factors for cardiovascular disease;*
7 *and*
 - 8 (2) *A calculated risk of at least 10 percent of acquiring*
9 *cardiovascular disease within the next 10 years;*
- 10 (c) *Aspirin for persons between the ages of 50 and 59 years*
11 *who have a calculated risk of at least 10 percent of acquiring*
12 *cardiovascular disease within the next 10 years and a life*
13 *expectancy of at least 10 years;*
- 14 (d) *Vitamin D supplements for persons who are at least 65*
15 *years of age to prevent the person from falling if the person:*
 - 16 (1) *Does not reside in a medical facility or a facility for the*
17 *dependent; and*
 - 18 (2) *Has an increased risk of falls;*
- 19 (e) *Tuberculosis screenings for latent tuberculosis infection in*
20 *persons with increased risk of contracting tuberculosis;*
- 21 (f) *Screening for high blood pressure to confirm a diagnosis*
22 *made outside a clinical setting before treatment is commenced;*
- 23 (g) *One abdominal aortic screening by ultrasound to detect*
24 *abdominal aortic aneurisms for men between the ages of 65 and*
25 *75 years who have smoked during their lifetimes;*
- 26 (h) *Screening for hepatitis B infection for persons who are at a*
27 *high risk of contracting hepatitis B;*
- 28 (i) *Screening for hepatitis C infection for persons who are at a*
29 *high risk of contracting hepatitis C;*
- 30 (j) *One screening for hepatitis C infection for persons born*
31 *between 1945 and 1965;*
- 32 (k) *Screening for osteoporosis for women who:*
 - 33 (1) *Are 65 years of age and older; or*
 - 34 (2) *Have a risk of fracturing a bone equal to or greater*
35 *than that of a woman who is 65 years of age without any*
36 *additional risk factors;*
- 37 (l) *Screening for alcohol misuse for persons 18 years of age or*
38 *older;*
- 39 (m) *If a person engages in risky or hazardous consumption of*
40 *alcohol, as determined by the screening described in paragraph*
41 *(l), behavioral counseling to reduce such behavior; and*
- 42 (n) *Screening for lung cancer using low-dose computed*
43 *tomography for persons between the ages of 55 and 80 years who:*
 - 44 (1) *Have a smoking history of 30 pack-years;*



1 (2) *Smoke or have stopped smoking within the immediately*
2 *preceding 15 years; and*

3 (3) *Do not suffer from a health problem that substantially*
4 *limits the life expectancy of the person or the willingness of the*
5 *person to undergo curative surgery.*

6 2. *A society must ensure that the benefits required by*
7 *subsection 1 are made available to an insured through a provider*
8 *of health care who participates in the network plan of the society.*

9 3. *Except as otherwise provided in subsection 5, a society that*
10 *offers or issues a benefit contract shall not:*

11 (a) *Require an insured to pay a higher deductible, any*
12 *copayment or coinsurance or require a longer waiting period or*
13 *other condition to obtain any benefit provided in the benefit*
14 *contract pursuant to subsection 1;*

15 (b) *Refuse to issue a benefit contract or cancel a benefit*
16 *contract solely because the person applying for or covered by the*
17 *contract uses or may use a benefit provided in the benefit contract*
18 *pursuant to subsection 1;*

19 (c) *Offer or pay any type of material inducement or financial*
20 *incentive to an insured to discourage the insured from obtaining*
21 *any such benefit;*

22 (d) *Penalize a provider of health care who provides any such*
23 *benefit to an insured, including, without limitation, reducing the*
24 *reimbursement of the provider of health care;*

25 (e) *Offer or pay any type of material inducement, bonus or*
26 *other financial incentive to a provider of health care to deny,*
27 *reduce, withhold, limit or delay access to any such benefit to an*
28 *insured; or*

29 (f) *Impose any other restrictions or delays on the access of an*
30 *insured to any such benefit.*

31 4. *A benefit contract subject to the provisions of this chapter*
32 *that is delivered, issued for delivery or renewed on or after*
33 *January 1, 2018, has the legal effect of including the coverage*
34 *required by subsection 1, and any provision of the contract or the*
35 *renewal which is in conflict with this section is void.*

36 5. *Except as otherwise provided in this section and federal*
37 *law, a society may use medical management techniques,*
38 *including, without limitation, any available clinical evidence, to*
39 *determine the frequency of or treatment relating to any benefit*
40 *required by this section or the type of provider of health care to*
41 *use for such treatment.*

42 6. *As used in this section:*

43 (a) *“Computed tomography” means the process of producing*
44 *sectional and three-dimensional images using external ionizing*
45 *radiation.*



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1 (b) "Facility for the dependent" has the meaning ascribed to it
2 in NRS 449.0045.

3 (c) "Medical facility" has the meaning ascribed to it in
4 NRS 449.0151.

5 (d) "Medical management technique" means a practice which
6 is used to control the cost or utilization of health care services or
7 prescription drug use. The term includes, without limitation, the
8 use of step therapy, prior authorization or categorizing drugs and
9 devices based on cost, type or method of administration.

10 (e) "Network plan" means a benefit contract offered by a
11 society under which the financing and delivery of medical care,
12 including items and services paid for as medical care, are
13 provided, in whole or in part, through a defined set of providers of
14 health care under contract with the society. The term does not
15 include an arrangement for the financing of premiums.

16 (f) "Pack-year" means the product of the number of packs of
17 cigarettes smoked per day and the number of years that the person
18 has smoked.

19 (g) "Provider of health care" has the meaning ascribed to it in
20 NRS 629.031.

21 **Sec. 52. 1. A society that offers or issues a benefit contract**
22 **shall include in the contract coverage for:**

23 (a) Screening for depression;

24 (b) All vaccinations recommended by the Advisory Committee
25 on Immunization Practices of the Centers for Disease Control and
26 Prevention of the United States Department of Health and Human
27 Services or its successor organization;

28 (c) Screening, tests and counseling for such other health
29 conditions and diseases as recommended by the Health Resources
30 and Services Administration for persons less than 18 years of age;
31 and

32 (d) Assessments relating to height, weight, body mass index
33 and medical history for persons less than 18 years of age.

34 2. A society must ensure that the benefits required by
35 subsection 1 are made available to an insured through a provider
36 of health care who participates in the network plan of the society.

37 3. Except as otherwise provided in subsection 5, a society that
38 offers or issues a benefit contract shall not:

39 (a) Require an insured to pay a higher deductible, any
40 copayment or coinsurance or require a longer waiting period or
41 other condition to obtain any benefit provided in the benefit
42 contract pursuant to subsection 1;

43 (b) Refuse to issue a benefit contract or cancel a benefit
44 contract solely because the person applying for or covered by the



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1 *contract uses or may use a benefit provided in the benefit contract*
2 *pursuant to subsection 1;*

3 (c) *Offer or pay any type of material inducement or financial*
4 *incentive to an insured to discourage the insured from obtaining*
5 *any such benefit;*

6 (d) *Penalize a provider of health care who provides any such*
7 *benefit to an insured, including, without limitation, reducing the*
8 *reimbursement of the provider of health care;*

9 (e) *Offer or pay any type of material inducement, bonus or*
10 *other financial incentive to a provider of health care to deny,*
11 *reduce, withhold, limit or delay access to any such benefit to an*
12 *insured; or*

13 (f) *Impose any other restrictions or delays on the access of an*
14 *insured to any such benefit.*

15 4. *A benefit contract subject to the provisions of this chapter*
16 *that is delivered, issued for delivery or renewed on or after*
17 *January 1, 2018, has the legal effect of including the coverage*
18 *required by subsection 1, and any provision of the contract or the*
19 *renewal which is in conflict with this section is void.*

20 5. *Except as otherwise provided in this section and federal*
21 *law, a society may use medical management techniques,*
22 *including, without limitation, any available clinical evidence, to*
23 *determine the frequency of or treatment relating to any benefit*
24 *required by this section or the type of provider of health care to*
25 *use for such treatment.*

26 6. *As used in this section:*

27 (a) *“Medical management technique” means a practice which*
28 *is used to control the cost or utilization of health care services or*
29 *prescription drug use. The term includes, without limitation, the*
30 *use of step therapy, prior authorization or categorizing drugs and*
31 *devices based on cost, type or method of administration.*

32 (b) *“Network plan” means a benefit contract offered by a*
33 *society under which the financing and delivery of medical care,*
34 *including items and services paid for as medical care, are*
35 *provided, in whole or in part, through a defined set of providers of*
36 *health care under contract with the society. The term does not*
37 *include an arrangement for the financing of premiums.*

38 (c) *“Provider of health care” has the meaning ascribed to it in*
39 *NRS 629.031.*

40 **Sec. 53. 1.** *Except as otherwise provided in this subsection,*
41 *a benefit contract issued pursuant to this chapter may not restrict*
42 *benefits for any length of stay in a hospital in connection with*
43 *childbirth for a mother or newborn infant covered by the contract*
44 *to:*

45 (a) *Less than 48 hours after a normal vaginal delivery; and*



1 (b) *Less than 96 hours after a cesarean section.*

2 ↪ *If a different length of stay is provided in the guidelines*
3 *established by the American College of Obstetricians and*
4 *Gynecologists, or its successor organization, and the American*
5 *Academy of Pediatrics, or its successor organization, the benefit*
6 *contract may follow such guidelines in lieu of following the length*
7 *of stay set forth above. The provisions of this subsection do not*
8 *apply to any benefit contract in any case in which the decision to*
9 *discharge the mother or newborn infant before the expiration of*
10 *the minimum length of stay set forth in this subsection is made by*
11 *the attending physician of the mother or newborn infant.*

12 2. *Nothing in this section requires a mother to:*

13 (a) *Deliver her baby in a hospital; or*

14 (b) *Stay in a hospital for a fixed period following the birth of*
15 *her child.*

16 3. *A benefit contract may not:*

17 (a) *Deny a mother or her newborn infant coverage or*
18 *continued coverage under the terms of the contract or coverage if*
19 *the sole purpose of the denial of coverage or continued coverage is*
20 *to avoid the requirements of this section;*

21 (b) *Provide monetary payments or rebates to a mother to*
22 *encourage her to accept less than the minimum protection*
23 *available pursuant to this section;*

24 (c) *Penalize, or otherwise reduce or limit, the reimbursement*
25 *of an attending provider of health care because the attending*
26 *provider of health care provided care to a mother or newborn*
27 *infant in accordance with the provisions of this section;*

28 (d) *Provide incentives of any kind to an attending physician to*
29 *induce the attending physician to provide care to a mother or*
30 *newborn infant in a manner that is inconsistent with the*
31 *provisions of this section; or*

32 (e) *Except as otherwise provided in subsection 4, restrict*
33 *benefits for any portion of a hospital stay required pursuant to the*
34 *provisions of this section in a manner that is less favorable than*
35 *the benefits provided for any preceding portion of that stay.*

36 4. *Nothing in this section:*

37 (a) *Prohibits a benefit contract from imposing a deductible,*
38 *coinsurance or other mechanism for sharing costs relating to*
39 *benefits for hospital stays in connection with childbirth for a*
40 *mother or newborn child covered by the contract, except that such*
41 *coinsurance or other mechanism for sharing costs for any portion*
42 *of a hospital stay required by this section may not be greater than*
43 *the coinsurance or other mechanism for any preceding portion of*
44 *that stay.*



1 (b) Prohibits an arrangement for payment between a benefit
2 contract or society and a provider of health care that uses
3 capitation or other financial incentives, if the arrangement is
4 designed to provide services efficiently and consistently in the best
5 interest of the mother and her newborn infant.

6 (c) Prevents a benefit contract or society from negotiating with
7 a provider of health care concerning the level and type of
8 reimbursement to be provided in accordance with this section.

9 5. A benefit contract subject to the provisions of this chapter
10 that is delivered, issued for delivery or renewed on or after
11 January 1, 2018, has the legal effect of including the coverage
12 required by subsection 1, and any provision of the contract or the
13 renewal which is in conflict with this section is void.

14 6. As used in this section, "provider of health care" has the
15 meaning ascribed to it in NRS 629.031.

16 **Sec. 54. 1. A benefit contract must provide coverage for**
17 **benefits payable for expenses incurred for:**

18 (a) Deoxyribonucleic acid testing for high-risk strains of the
19 human papillomavirus every 3 years for women 30 years of age or
20 older; and

21 (b) Administering the human papillomavirus vaccine as
22 recommended for vaccination by a competent authority, including,
23 without limitation, the Centers for Disease Control and Prevention
24 of the United States Department of Health and Human Services,
25 the Food and Drug Administration or the manufacturer of the
26 vaccine.

27 2. A society must ensure that the benefits required by
28 subsection 1 are made available to an insured through a provider
29 of health care who participates in the network plan of the society.

30 3. Except as otherwise provided in subsection 5, a society that
31 offers or issues a benefit contract shall not:

32 (a) Require an insured to pay a higher deductible, any
33 copayment or coinsurance or require a longer waiting period or
34 other condition to obtain any benefit provided in the benefit
35 contract pursuant to subsection 1;

36 (b) Refuse to issue a benefit contract or cancel a benefit
37 contract solely because the person applying for or covered by the
38 contract uses or may use a benefit provided in the benefit contract
39 pursuant to subsection 1;

40 (c) Offer or pay any type of material inducement or financial
41 incentive to an insured to discourage the insured from obtaining
42 any such benefit;

43 (d) Penalize a provider of health care who provides any such
44 benefit to an insured, including, without limitation, reducing the
45 reimbursement of the provider of health care;



1 (e) Offer or pay any type of material inducement, bonus or
2 other financial incentive to a provider of health care to deny,
3 reduce, withhold, limit or delay access to any such benefit to an
4 insured; or

5 (f) Impose any other restrictions or delays on the access of an
6 insured to any such benefit.

7 4. A benefit contract subject to the provisions of this chapter
8 which is delivered, issued for delivery or renewed on or after
9 January 1, 2018, has the legal effect of including the coverage
10 required by subsection 1, and any provision of the contract or the
11 renewal which is in conflict with this section is void.

12 5. Except as otherwise provided in this section and federal
13 law, a society may use medical management techniques,
14 including, without limitation, any available clinical evidence, to
15 determine the frequency of or treatment relating to any benefit
16 required by this section or the type of provider of health care to
17 use for such treatment.

18 6. As used in this section:

19 (a) "Human papillomavirus vaccine" means the *Quadrivalent*
20 *Human Papillomavirus Recombinant Vaccine* or its successor
21 which is approved by the Food and Drug Administration for the
22 prevention of human papillomavirus infection and cervical
23 cancer.

24 (b) "Medical management technique" means a practice which
25 is used to control the cost or utilization of health care services or
26 prescription drug use. The term includes, without limitation, the
27 use of step therapy, prior authorization or categorizing drugs and
28 devices based on cost, type or method of administration.

29 (c) "Network plan" means a benefit contract offered by a
30 society under which the financing and delivery of medical care,
31 including items and services paid for as medical care, are
32 provided, in whole or in part, through a defined set of providers of
33 health care under contract with the society. The term does not
34 include an arrangement for the financing of premiums.

35 (d) "Provider of health care" has the meaning ascribed to it in
36 NRS 629.031.

37 **Sec. 55. 1.** A benefit contract must provide coverage for
38 benefits payable for expenses incurred for:

39 (a) A mammogram every 2 years, or annually if ordered by a
40 provider of health care, for women 40 years of age or older;

41 (b) Counseling concerning genetic testing for breast cancer for
42 women who are at a high risk of developing breast cancer; and

43 (c) Counseling concerning breast cancer chemoprevention for
44 women who are at risk of developing breast cancer.



1 2. *A society must ensure that the benefits required by*
2 *subsection 1 are made available to an insured through a provider*
3 *of health care who participates in the network plan of the society.*

4 3. *Except as otherwise provided in subsection 5, a society that*
5 *offers or issues a benefit contract shall not:*

6 (a) *Require an insured to pay a higher deductible, any*
7 *copayment or coinsurance or require a longer waiting period or*
8 *other condition to obtain any benefit provided in the benefit*
9 *contract pursuant to subsection 1;*

10 (b) *Refuse to issue a benefit contract or cancel a benefit*
11 *contract solely because the person applying for or covered by the*
12 *contract uses or may use a benefit provided in the benefit contract*
13 *pursuant to subsection 1;*

14 (c) *Offer or pay any type of material inducement or financial*
15 *incentive to an insured to discourage the insured from obtaining*
16 *any such benefit;*

17 (d) *Penalize a provider of health care who provides any such*
18 *benefit to an insured, including, without limitation, reducing the*
19 *reimbursement of the provider of health care;*

20 (e) *Offer or pay any type of material inducement, bonus or*
21 *other financial incentive to a provider of health care to deny,*
22 *reduce, withhold, limit or delay access to any such benefit to an*
23 *insured; or*

24 (f) *Impose any other restrictions or delays on the access of an*
25 *insured to any such benefit.*

26 4. *A benefit contract subject to the provisions of this chapter*
27 *which is delivered, issued for delivery or renewed on or after*
28 *January 1, 2018, has the legal effect of including the coverage*
29 *required by subsection 1, and any provision of the contract or the*
30 *renewal which is in conflict with this section is void.*

31 5. *Except as otherwise provided in this section and federal*
32 *law, a society may use medical management techniques,*
33 *including, without limitation, any available clinical evidence, to*
34 *determine the frequency of or treatment relating to any benefit*
35 *required by this section or the type of provider of health care to*
36 *use for such treatment.*

37 6. *As used in this section:*

38 (a) *“Medical management technique” means a practice which*
39 *is used to control the cost or utilization of health care services or*
40 *prescription drug use. The term includes, without limitation, the*
41 *use of step therapy, prior authorization or categorizing drugs and*
42 *devices based on cost, type or method of administration.*

43 (b) *“Network plan” means a benefit contract offered by a*
44 *society under which the financing and delivery of medical care,*
45 *including items and services paid for as medical care, are*



1 *provided, in whole or in part, through a defined set of providers of*
2 *health care under contract with the society. The term does not*
3 *include an arrangement for the financing of premiums.*

4 (c) *“Provider of health care” has the meaning ascribed to it in*
5 *NRS 629.031.*

6 **Sec. 56.** Chapter 695B of NRS is hereby amended by adding
7 thereto the provisions set forth as sections 57 to 62, inclusive, of this
8 act.

9 **Sec. 57. 1.** *An insurer shall offer or issue a contract for*
10 *hospital or medical service to any person regardless of the health*
11 *status of the person or any dependent of the person. Such health*
12 *status includes, without limitation:*

13 (a) *Any preexisting medical condition of the person, including,*
14 *without limitation, any physical or mental illness;*

15 (b) *The claims history of the person, including, without*
16 *limitation, any prior health care services received by the person;*

17 (c) *Genetic information relating to the person; and*

18 (d) *Any increased risk for illness, injury or any other medical*
19 *condition of the person, including, without limitation, any medical*
20 *condition caused by an act of domestic violence.*

21 2. *An insurer that offers or issues a contract for hospital or*
22 *medical service shall not:*

23 (a) *Deny, limit or exclude a benefit based on the health status*
24 *of an insured; or*

25 (b) *Require an insured, as a condition of enrollment or*
26 *renewal, to pay a premium, deductible, copay or coinsurance*
27 *based on his or her health status which is greater than the*
28 *premium, deductible, copay or coinsurance charged to a similarly*
29 *situated insured or the covered dependent of such an insured who*
30 *does not have such a health status.*

31 3. *An insurer that offers or issues a contract for hospital or*
32 *medical service shall not adjust a premium, deductible, copay or*
33 *coinsurance for any insured on the basis of genetic information*
34 *relating to the insured or the covered dependent of the insured.*

35 **Sec. 58. 1.** *An insurer that offers or issues a contract for*
36 *hospital or medical service which provides coverage for dependent*
37 *children shall continue to make such coverage available for an*
38 *adult child of an insured until such child reaches 26 years of age.*

39 2. *Nothing in this section shall be construed as requiring a*
40 *hospital or medical service corporation to make coverage available*
41 *for a dependent of an adult child of an insured.*

42 **Sec. 58.5. 1.** *Except as otherwise provided in subsection 7,*
43 *an insurer that offers or issues a contract for hospital or medical*
44 *service shall include in the contract coverage for:*



1 (a) *Up to a 12-month supply, per prescription, of any type of*
2 *drug for contraception or its therapeutic equivalent which is:*

- 3 (1) *Lawfully prescribed or ordered;*
4 (2) *Approved by the Food and Drug Administration;*
5 (3) *Listed in subsection 11; and*
6 (4) *Dispensed in accordance with section 11.3 of this act;*

7 (b) *Any type of device for contraception which is:*

- 8 (1) *Lawfully prescribed or ordered;*
9 (2) *Approved by the Food and Drug Administration; and*
10 (3) *Listed in subsection 11;*

11 (c) *Insertion of a device for contraception or removal of such a*
12 *device if the device was inserted while the insured was covered by*
13 *the same contract for hospital or medical service;*

14 (d) *Education and counseling relating to the initiation of the*
15 *use of contraception and any necessary follow-up after initiating*
16 *such use;*

17 (e) *Management of side effects relating to contraception; and*

18 (f) *Voluntary sterilization for women.*

19 2. *An insurer must ensure that the benefits required by*
20 *subsection 1 are made available to an insured through a provider*
21 *of health care who participates in the network plan of the insurer.*

22 3. *If a covered therapeutic equivalent listed in subsection 1 is*
23 *not available or a provider of health care deems a covered*
24 *therapeutic equivalent to be medically inappropriate, an alternate*
25 *therapeutic equivalent prescribed by a provider of health care*
26 *must be covered by the insurer.*

27 4. *Except as otherwise provided in subsections 9, 10 and 12,*
28 *an insurer that offers or issues a contract for hospital or medical*
29 *service shall not:*

30 (a) *Require an insured to pay a higher deductible, any*
31 *copayment or coinsurance or require a longer waiting period or*
32 *other condition for coverage to obtain any benefit included in the*
33 *contract pursuant to subsection 1;*

34 (b) *Refuse to issue a contract for hospital or medical service or*
35 *cancel a contract for hospital or medical service solely because the*
36 *person applying for or covered by the contract uses or may use any*
37 *such benefit;*

38 (c) *Offer or pay any type of material inducement or financial*
39 *incentive to an insured to discourage the insured from obtaining*
40 *any such benefit;*

41 (d) *Penalize a provider of health care who provides any such*
42 *benefit to an insured, including, without limitation, reducing the*
43 *reimbursement of the provider of health care;*

44 (e) *Offer or pay any type of material inducement, bonus or*
45 *other financial incentive to a provider of health care to deny,*



1 *reduce, withhold, limit or delay access to any such benefit to an*
2 *insured; or*

3 *(f) Impose any other restrictions or delays on the access of an*
4 *insured to any such benefit.*

5 *5. Coverage pursuant to this section for the covered*
6 *dependent of an insured must be the same as for the insured.*

7 *6. Except as otherwise provided in subsection 7, a contract*
8 *for hospital or medical service subject to the provisions of this*
9 *chapter that is delivered, issued for delivery or renewed on or after*
10 *January 1, 2018, has the legal effect of including the coverage*
11 *required by subsection 1, and any provision of the contract or the*
12 *renewal which is in conflict with this section is void.*

13 *7. An insurer that offers or issues a contract for hospital or*
14 *medical service and which is affiliated with a religious*
15 *organization is not required to provide the coverage required by*
16 *subsection 1 if the insurer objects on religious grounds. Such an*
17 *insurer shall, before the issuance of a contract for hospital or*
18 *medical service and before the renewal of such a contract, provide*
19 *to the prospective insured written notice of the coverage that the*
20 *insurer refuses to provide pursuant to this subsection.*

21 *8. If an insurer refuses, pursuant to subsection 7, to provide*
22 *the coverage required by subsection 1, an employer may otherwise*
23 *provide for the coverage for the employees of the employer.*

24 *9. An insurer may require an insured to pay a higher*
25 *deductible, copayment or coinsurance for a drug for contraception*
26 *if the insured refuses to accept a therapeutic equivalent of the*
27 *drug.*

28 *10. For each of the 18 methods of contraception listed in*
29 *subsection 11 that have been approved by the Food and Drug*
30 *Administration, a contract for hospital or medical service must*
31 *include at least one drug or device for contraception within each*
32 *method for which no deductible, copayment or coinsurance may*
33 *be charged to the insured, but the insurer may charge a*
34 *deductible, copayment or coinsurance for any other drug or device*
35 *that provides the same method of contraception.*

36 *11. The following 18 methods of contraception must be*
37 *covered pursuant to this section:*

- 38 *(a) Voluntary sterilization for women;*
39 *(b) Surgical sterilization implants for women;*
40 *(c) Implantable rods;*
41 *(d) Copper-based intrauterine devices;*
42 *(e) Progesterone-based intrauterine devices;*
43 *(f) Injections;*
44 *(g) Combined estrogen- and progestin-based drugs;*
45 *(h) Progestin-based drugs;*



- 1 (i) *Extended- or continuous-regimen drugs;*
- 2 (j) *Estrogen- and progestin-based patches;*
- 3 (k) *Vaginal contraceptive rings;*
- 4 (l) *Diaphragms with spermicide;*
- 5 (m) *Sponges with spermicide;*
- 6 (n) *Cervical caps with spermicide;*
- 7 (o) *Female condoms;*
- 8 (p) *Spermicide;*
- 9 (q) *Combined estrogen- and progestin-based drugs for*
- 10 *emergency contraception or progestin-based drugs for emergency*
- 11 *contraception; and*
- 12 (r) *Ulipristal acetate for emergency contraception.*

13 12. *Except as otherwise provided in this section and federal*
14 *law, an insurer may use medical management techniques,*
15 *including, without limitation, any available clinical evidence, to*
16 *determine the frequency of or treatment relating to any benefit*
17 *required by this section or the type of provider of health care to*
18 *use for such treatment.*

19 13. *An insurer shall not use medical management techniques*
20 *to require an insured to use a different method of contraception*
21 *other than the method prescribed or ordered by a provider of*
22 *health care.*

23 14. *An insurer must provide an accessible, transparent and*
24 *expedited process which is not unduly burdensome by which an*
25 *insured, or the authorized representative of the insured, may*
26 *request an exception relating to any medical management*
27 *technique used by the insurer to obtain any benefit required by*
28 *this section without a higher deductible, copayment or*
29 *coinsurance.*

30 15. *As used in this section:*

31 (a) *“Medical management technique” means a practice which*
32 *is used to control the cost or utilization of health care services or*
33 *prescription drug use. The term includes, without limitation, the*
34 *use of step therapy, prior authorization or categorizing drugs and*
35 *devices based on cost, type or method of administration.*

36 (b) *“Network plan” means a contract for hospital or medical*
37 *service offered by an insurer under which the financing and*
38 *delivery of medical care, including items and services paid for as*
39 *medical care, are provided, in whole or in part, through a defined*
40 *set of providers of health care under contract with the insurer. The*
41 *term does not include an arrangement for the financing of*
42 *premiums.*

43 (c) *“Provider of health care” has the meaning ascribed to it in*
44 *NRS 629.031.*

45 (d) *“Therapeutic equivalent” means a drug which:*



1 (1) *Contains an identical amount of the same active*
2 *ingredients in the same dosage and method of administration as*
3 *another drug;*

4 (2) *Is expected to have the same clinical effect when*
5 *administered to a patient pursuant to a prescription or order as*
6 *another drug; and*

7 (3) *Meets any other criteria required by the Food and Drug*
8 *Administration for classification as a therapeutic equivalent.*

9 **Sec. 59.** *1. An insurer that offers or issues a contract for*
10 *hospital or medical service shall include in the contract coverage*
11 *for:*

12 (a) *Counseling and support for breastfeeding, including*
13 *breastfeeding equipment, counseling and education during the*
14 *antenatal, perinatal and postpartum period for not more than 1*
15 *year;*

16 (b) *Screening and counseling for interpersonal and domestic*
17 *violence for women at least annually, with initial intervention*
18 *services consisting of education, strategies to reduce harm,*
19 *supportive services or a referral for any other appropriate*
20 *services;*

21 (c) *Behavioral counseling concerning sexually transmitted*
22 *diseases from a provider of health care for sexually active women*
23 *who are at increased risk for such diseases;*

24 (d) *Such prenatal screenings and tests as recommended by the*
25 *American College of Obstetricians and Gynecologists or its*
26 *successor organization;*

27 (e) *Screening for blood pressure abnormalities and diabetes,*
28 *including gestational diabetes, after at least 24 weeks of gestation*
29 *or as ordered by a provider of health care;*

30 (f) *Screening for cervical cancer at such intervals as are*
31 *recommended by the American College of Obstetricians and*
32 *Gynecologists or its successor organization;*

33 (g) *Such well-woman preventive visits as recommended by the*
34 *Health Resources and Services Administration, which must*
35 *include at least one such visit per year beginning at 14 years of*
36 *age;*

37 (h) *A daily dose of 0.4 to 0.8 milligrams of folic acid for*
38 *women who are capable of becoming pregnant;*

39 (i) *Aspirin for the prevention of preeclampsia for women who*
40 *are determined to be at a high risk of that condition after 12 weeks*
41 *of gestation;*

42 (j) *Medication to prevent breast cancer for women who are at*
43 *a high risk of developing breast cancer and have a low risk of*
44 *adverse side effects from the medication; and*



1 (k) *Prophylactic ocular tubal medication for the prevention of*
2 *gonococcal ophthalmia in newborns.*

3 2. *An insurer must ensure that the benefits required by*
4 *subsection 1 are made available to an insured through a provider*
5 *of health care who participates in the network plan of the insurer.*

6 3. *Except as otherwise provided in subsection 5, an insurer*
7 *that offers or issues a contract for hospital or medical service shall*
8 *not:*

9 (a) *Require an insured to pay a higher deductible, any*
10 *copayment or coinsurance or require a longer waiting period or*
11 *other condition to obtain any benefit provided in the contract for*
12 *hospital or medical service pursuant to subsection 1;*

13 (b) *Refuse to issue a contract for hospital or medical service or*
14 *cancel a contract for hospital or medical service solely because the*
15 *person applying for or covered by the contract uses or may use a*
16 *benefit provided in the contract for hospital or medical service*
17 *pursuant to subsection 1;*

18 (c) *Offer or pay any type of material inducement or financial*
19 *incentive to an insured to discourage the insured from obtaining*
20 *any such benefit;*

21 (d) *Penalize a provider of health care who provides any such*
22 *benefit to an insured, including, without limitation, reducing the*
23 *reimbursement of the provider of health care;*

24 (e) *Offer or pay any type of material inducement, bonus or*
25 *other financial incentive to a provider of health care to deny,*
26 *reduce, withhold, limit or delay access to any such benefit to an*
27 *insured; or*

28 (f) *Impose any other restrictions or delays on the access of an*
29 *insured to any such benefit.*

30 4. *A contract for hospital or medical service subject to the*
31 *provisions of this chapter that is delivered, issued for delivery or*
32 *renewed on or after January 1, 2018, has the legal effect of*
33 *including the coverage required by subsection 1, and any*
34 *provision of the contract or the renewal which is in conflict with*
35 *this section is void.*

36 5. *Except as otherwise provided in this section and federal*
37 *law, an insurer may use medical management techniques,*
38 *including, without limitation, any available clinical evidence, to*
39 *determine the frequency of or treatment relating to any benefit*
40 *required by this section or the type of provider of health care to*
41 *use for such treatment.*

42 6. *As used in this section:*

43 (a) *“Medical management technique” means a practice which*
44 *is used to control the cost or utilization of health care services or*
45 *prescription drug use. The term includes, without limitation, the*



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1 *use of step therapy, prior authorization or categorizing drugs and*
2 *devices based on cost, type or method of administration.*

3 (b) *“Network plan” means a contract for hospital or medical*
4 *service offered by an insurer under which the financing and*
5 *delivery of medical care, including items and services paid for as*
6 *medical care, are provided, in whole or in part, through a defined*
7 *set of providers of health care under contract with the insurer. The*
8 *term does not include an arrangement for the financing of*
9 *premiums.*

10 (c) *“Provider of health care” has the meaning ascribed to it in*
11 *NRS 629.031.*

12 **Sec. 60. 1.** *An insurer that offers or issues a contract for*
13 *hospital or medical service shall include in the contract coverage*
14 *for:*

15 (a) *Counseling relating to the dietary needs of adults who are*
16 *at a high risk of chronic diseases;*

17 (b) *Statin preventive medication for persons between the ages*
18 *of 40 and 75 years who do not have a history of cardiovascular*
19 *disease, but who have:*

20 (1) *One or more risk factors for cardiovascular disease;*
21 *and*

22 (2) *A calculated risk of at least 10 percent of acquiring*
23 *cardiovascular disease within the next 10 years;*

24 (c) *Aspirin for persons between the ages of 50 and 59 years*
25 *who have a calculated risk of at least 10 percent of acquiring*
26 *cardiovascular disease within the next 10 years and a life*
27 *expectancy of at least 10 years;*

28 (d) *Vitamin D supplements for persons who are at least 65*
29 *years of age to prevent the person from falling if the person:*

30 (1) *Does not reside in a medical facility or a facility for the*
31 *dependent; and*

32 (2) *Has an increased risk of falls;*

33 (e) *Tuberculosis screenings for latent tuberculosis infection in*
34 *persons with increased risk of contracting tuberculosis;*

35 (f) *Screening for high blood pressure to confirm a diagnosis*
36 *made outside a clinical setting before treatment is commenced;*

37 (g) *One abdominal aortic screening by ultrasound to detect*
38 *abdominal aortic aneurisms for men between the ages of 65 and*
39 *75 years who have smoked during their lifetimes;*

40 (h) *Screening for hepatitis B infection for persons who are at a*
41 *high risk of contracting hepatitis B;*

42 (i) *Screening for hepatitis C infection for persons who are at a*
43 *high risk of contracting hepatitis C;*

44 (j) *One screening for hepatitis C infection for persons born*
45 *between 1945 and 1965;*



1 (k) Screening for osteoporosis for women who:

2 (1) Are 65 years of age and older; or

3 (2) Have a risk of fracturing a bone equal to or greater
4 than that of a woman who is 65 years of age without any
5 additional risk factors;

6 (l) Screening for alcohol misuse for persons 18 years of age or
7 older;

8 (m) If a person engages in risky or hazardous consumption of
9 alcohol, as determined by the screening described in paragraph
10 (l), behavioral counseling to reduce such behavior; and

11 (n) Screening for lung cancer using low-dose computed
12 tomography for persons between the ages of 55 and 80 years who:

13 (1) Have a smoking history of 30 pack-years;

14 (2) Smoke or have stopped smoking within the immediately
15 preceding 15 years; and

16 (3) Do not suffer from a health problem that substantially
17 limits the life expectancy of the person or the willingness of the
18 person to undergo curative surgery.

19 2. An insurer must ensure that the benefits required by
20 subsection 1 are made available to an insured through a provider
21 of health care who participates in the network plan of the insurer.

22 3. Except as otherwise provided in subsection 5, an insurer
23 that offers or issues a contract for hospital or medical service shall
24 not:

25 (a) Require an insured to pay a higher deductible, any
26 copayment or coinsurance or require a longer waiting period or
27 other condition to obtain any benefit provided in the contract for
28 hospital or medical service pursuant to subsection 1;

29 (b) Refuse to issue a contract for hospital or medical service or
30 cancel a contract for hospital or medical service solely because the
31 person applying for or covered by the contract uses or may use a
32 benefit provided in the contract for hospital or medical service
33 pursuant to subsection 1;

34 (c) Offer or pay any type of material inducement or financial
35 incentive to an insured to discourage the insured from obtaining
36 any such benefit;

37 (d) Penalize a provider of health care who provides any such
38 benefit to an insured, including, without limitation, reducing the
39 reimbursement of the provider of health care;

40 (e) Offer or pay any type of material inducement, bonus or
41 other financial incentive to a provider of health care to deny,
42 reduce, withhold, limit or delay access to any such benefit to an
43 insured; or

44 (f) Impose any other restrictions or delays on the access of an
45 insured to any such benefit.



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1 4. A contract for hospital or medical service subject to the
2 provisions of this chapter that is delivered, issued for delivery or
3 renewed on or after January 1, 2018, has the legal effect of
4 including the coverage required by subsection 1, and any
5 provision of the contract or the renewal which is in conflict with
6 this section is void.

7 5. Except as otherwise provided in this section and federal
8 law, an insurer may use medical management techniques,
9 including, without limitation, any available clinical evidence, to
10 determine the frequency of or treatment relating to any benefit
11 required by this section or the type of provider of health care to
12 use for such treatment.

13 6. As used in this section:

14 (a) "Computed tomography" means the process of producing
15 sectional and three-dimensional images using external ionizing
16 radiation.

17 (b) "Facility for the dependent" has the meaning ascribed to it
18 in NRS 449.0045.

19 (c) "Medical facility" has the meaning ascribed to it in
20 NRS 449.0151.

21 (d) "Medical management technique" means a practice which
22 is used to control the cost or utilization of health care services or
23 prescription drug use. The term includes, without limitation, the
24 use of step therapy, prior authorization or categorizing drugs and
25 devices based on cost, type or method of administration.

26 (e) "Network plan" means a contract for hospital or medical
27 service offered by an insurer under which the financing and
28 delivery of medical care, including items and services paid for as
29 medical care, are provided, in whole or in part, through a defined
30 set of providers of health care under contract with the insurer. The
31 term does not include an arrangement for the financing of
32 premiums.

33 (f) "Pack-year" means the product of the number of packs of
34 cigarettes smoked per day and the number of years that the person
35 has smoked.

36 (g) "Provider of health care" has the meaning ascribed to it in
37 NRS 629.031.

38 **Sec. 61. 1.** An insurer that offers or issues a contract for
39 hospital or medical service shall include in the contract coverage
40 for:

41 (a) Screening for depression;

42 (b) All vaccinations recommended by the Advisory Committee
43 on Immunization Practices of the Centers for Disease Control and
44 Prevention of the United States Department of Health and Human
45 Services or its successor organization;



1 (c) *Screening, tests and counseling for such other health*
2 *conditions and diseases as recommended by the Health Resources*
3 *and Services Administration for persons less than 18 years of age;*
4 *and*

5 (d) *Assessments relating to height, weight, body mass index*
6 *and medical history for persons less than 18 years of age.*

7 2. *An insurer must ensure that the benefits required by*
8 *subsection 1 are made available to an insured through a provider*
9 *of health care who participates in the network plan of the insurer.*

10 3. *Except as otherwise provided in subsection 5, an insurer*
11 *that offers or issues a contract for hospital or medical service shall*
12 *not:*

13 (a) *Require an insured to pay a higher deductible, any*
14 *copayment or coinsurance or require a longer waiting period or*
15 *other condition to obtain any benefit provided in the contract for*
16 *hospital or medical service pursuant to subsection 1;*

17 (b) *Refuse to issue a contract for hospital or medical service or*
18 *cancel a contract for hospital or medical service solely because the*
19 *person applying for or covered by the contract uses or may use a*
20 *benefit provided in the contract for hospital or medical service*
21 *pursuant to subsection 1;*

22 (c) *Offer or pay any type of material inducement or financial*
23 *incentive to an insured to discourage the insured from obtaining*
24 *any such benefit;*

25 (d) *Penalize a provider of health care who provides any such*
26 *benefit to an insured, including, without limitation, reducing the*
27 *reimbursement of the provider of health care;*

28 (e) *Offer or pay any type of material inducement, bonus or*
29 *other financial incentive to a provider of health care to deny,*
30 *reduce, withhold, limit or delay access to any such benefit to an*
31 *insured; or*

32 (f) *Impose any other restrictions or delays on the access of an*
33 *insured to any such benefit.*

34 4. *A contract for hospital or medical service subject to the*
35 *provisions of this chapter that is delivered, issued for delivery or*
36 *renewed on or after January 1, 2018, has the legal effect of*
37 *including the coverage required by subsection 1, and any*
38 *provision of the contract or the renewal which is in conflict with*
39 *this section is void.*

40 5. *Except as otherwise provided in this section and federal*
41 *law, an insurer may use medical management techniques,*
42 *including, without limitation, any available clinical evidence, to*
43 *determine the frequency of or treatment relating to any benefit*
44 *required by this section or the type of provider of health care to*
45 *use for such treatment.*



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1 6. *As used in this section:*

2 (a) *“Medical management technique” means a practice which*
3 *is used to control the cost or utilization of health care services or*
4 *prescription drug use. The term includes, without limitation, the*
5 *use of step therapy, prior authorization or categorizing drugs and*
6 *devices based on cost, type or method of administration.*

7 (b) *“Network plan” means a contract for hospital or medical*
8 *service offered by an insurer under which the financing and*
9 *delivery of medical care, including items and services paid for as*
10 *medical care, are provided, in whole or in part, through a defined*
11 *set of providers of health care under contract with the insurer. The*
12 *term does not include an arrangement for the financing of*
13 *premiums.*

14 (c) *“Provider of health care” has the meaning ascribed to it in*
15 *NRS 629.031.*

16 **Sec. 62.** *1. Except as otherwise provided in this subsection,*
17 *a contract for hospital or medical service issued pursuant to this*
18 *chapter may not restrict benefits for any length of stay in a*
19 *hospital in connection with childbirth for a mother or newborn*
20 *infant covered by the contract to:*

21 (a) *Less than 48 hours after a normal vaginal delivery; and*

22 (b) *Less than 96 hours after a cesarean section.*

23 ↪ *If a different length of stay is provided in the guidelines*
24 *established by the American College of Obstetricians and*
25 *Gynecologists, or its successor organization, and the American*
26 *Academy of Pediatrics, or its successor organization, the contract*
27 *for hospital or medical service may follow such guidelines in lieu*
28 *of following the length of stay set forth above. The provisions of*
29 *this subsection do not apply to any contract for hospital or medical*
30 *service in any case in which the decision to discharge the mother*
31 *or newborn infant before the expiration of the minimum length of*
32 *stay set forth in this subsection is made by the attending physician*
33 *of the mother or newborn infant.*

34 2. *Nothing in this section requires a mother to:*

35 (a) *Deliver her baby in a hospital; or*

36 (b) *Stay in a hospital for a fixed period following the birth of*
37 *her child.*

38 3. *A contract for hospital or medical service may not:*

39 (a) *Deny a mother or her newborn infant coverage or*
40 *continued coverage under the terms of the contract or coverage if*
41 *the sole purpose of the denial of coverage or continued coverage is*
42 *to avoid the requirements of this section;*

43 (b) *Provide monetary payments or rebates to a mother to*
44 *encourage her to accept less than the minimum protection*
45 *available pursuant to this section;*



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1 (c) Penalize, or otherwise reduce or limit, the reimbursement
2 of an attending provider of health care because the attending
3 provider of health care provided care to a mother or newborn
4 infant in accordance with the provisions of this section;

5 (d) Provide incentives of any kind to an attending physician to
6 induce the attending physician to provide care to a mother or
7 newborn infant in a manner that is inconsistent with the
8 provisions of this section; or

9 (e) Except as otherwise provided in subsection 4, restrict
10 benefits for any portion of a hospital stay required pursuant to the
11 provisions of this section in a manner that is less favorable than
12 the benefits provided for any preceding portion of that stay.

13 4. Nothing in this section:

14 (a) Prohibits a contract for hospital or medical service from
15 imposing a deductible, coinsurance or other mechanism for
16 sharing costs relating to benefits for hospital stays in connection
17 with childbirth for a mother or newborn child covered by the
18 contract, except that such coinsurance or other mechanism for
19 sharing costs for any portion of a hospital stay required by this
20 section may not be greater than the coinsurance or other
21 mechanism for any preceding portion of that stay.

22 (b) Prohibits an arrangement for payment between an insurer
23 and a provider of health care that uses capitation or other
24 financial incentives, if the arrangement is designed to provide
25 services efficiently and consistently in the best interest of the
26 mother and her newborn infant.

27 (c) Prevents an insurer from negotiating with a provider of
28 health care concerning the level and type of reimbursement to be
29 provided in accordance with this section.

30 5. A contract for hospital or medical service subject to the
31 provisions of this chapter that is delivered, issued for delivery or
32 renewed on or after January 1, 2018, has the legal effect of
33 including the coverage required by subsection 1, and any
34 provision of the contract or the renewal which is in conflict with
35 this section is void.

36 6. As used in this section, "provider of health care" has the
37 meaning ascribed to it in NRS 629.031.

38 **Sec. 63.** NRS 695B.1912 is hereby amended to read as
39 follows:

40 695B.1912 1. A ~~policy of health insurance~~ **contract for**
41 **hospital or medical service** issued by a hospital or medical service
42 corporation must provide coverage for benefits payable for expenses
43 incurred for:

44 (a) ~~An annual cytologic screening test for women 18 years of~~
45 ~~age or older;~~



1 ~~—(b) A baseline mammogram for women between the ages of 35~~
2 ~~and 40; and~~

3 ~~—(c) An annual~~ *A mammogram every 2 years, or annually if*
4 *ordered by a provider of health care, for women 40 years of age or*
5 *older* ~~††~~;

6 *(b) Counseling concerning genetic testing for breast cancer for*
7 *women who are at a high risk of developing breast cancer; and*

8 *(c) Counseling concerning breast cancer chemoprevention for*
9 *women who are at risk of developing breast cancer.*

10 2. ~~†A policy of health insurance issued by a hospital or medical~~
11 ~~service corporation must not require an insured to obtain prior~~
12 ~~authorization for any service provided pursuant to subsection 1.†~~ *An*
13 *insurer must ensure that the benefits required by subsection 1 are*
14 *made available to an insured through a provider of health care*
15 *who participates in the network plan of the insurer.*

16 3. *Except as otherwise provided in subsection 5, an insurer*
17 *that offers or issues a contract for hospital or medical service shall*
18 *not:*

19 *(a) Require an insured to pay a higher deductible, any*
20 *copayment or coinsurance or require a longer waiting period or*
21 *other condition to obtain any benefit provided in the contract for*
22 *hospital or medical service pursuant to subsection 1;*

23 *(b) Refuse to issue a contract for hospital or medical service or*
24 *cancel a contract for hospital or medical service solely because the*
25 *person applying for or covered by the contract uses or may use a*
26 *benefit provided in the contract for hospital or medical service*
27 *pursuant to subsection 1;*

28 *(c) Offer or pay any type of material inducement or financial*
29 *incentive to an insured to discourage the insured from obtaining*
30 *any such benefit;*

31 *(d) Penalize a provider of health care who provides any such*
32 *benefit to an insured, including, without limitation, reducing the*
33 *reimbursement of the provider of health care;*

34 *(e) Offer or pay any type of material inducement, bonus or*
35 *other financial incentive to a provider of health care to deny,*
36 *reduce, withhold, limit or delay access to any such benefit to an*
37 *insured; or*

38 *(f) Impose any other restrictions or delays on the access of an*
39 *insured to any such benefit.*

40 4. A ~~†policy†~~ *contract for hospital or medical service* subject
41 to the provisions of this chapter which is delivered, issued for
42 delivery or renewed on or after ~~†October 1, 1989.†~~ *January 1, 2018,*
43 has the legal effect of including the coverage required by subsection
44 1, and any provision of the ~~†policy†~~ *contract* or the renewal which is
45 in conflict with ~~†subsection 1†~~ *this section* is void.



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1 5. *Except as otherwise provided in this section and federal*
2 *law, an insurer may use medical management techniques,*
3 *including, without limitation, any available clinical evidence, to*
4 *determine the frequency of or treatment relating to any benefit*
5 *required by this section or the type of provider of health care to*
6 *use for such treatment.*

7 6. *As used in this section:*

8 (a) *“Medical management technique” means a practice which*
9 *is used to control the cost or utilization of health care services or*
10 *prescription drug use. The term includes, without limitation, the*
11 *use of step therapy, prior authorization or categorizing drugs and*
12 *devices based on cost, type or method of administration.*

13 (b) *“Network plan” means a contract for hospital or medical*
14 *service offered by an insurer under which the financing and*
15 *delivery of medical care, including items and services paid for as*
16 *medical care, are provided, in whole or in part, through a defined*
17 *set of providers of health care under contract with the insurer. The*
18 *term does not include an arrangement for the financing of*
19 *premiums.*

20 (c) *“Provider of health care” has the meaning ascribed to it in*
21 *NRS 629.031.*

22 **Sec. 63.3.** NRS 695B.1916 is hereby amended to read as
23 follows:

24 695B.1916 1. ~~Except as otherwise provided in subsection 5,~~
25 ~~an~~ An insurer that offers or issues a contract for hospital or medical
26 service which provides coverage for prescription drugs or devices
27 shall include in the contract coverage for ~~the~~

28 ~~—(a) Any type of drug or device for contraception; and~~

29 ~~—(b) Any~~ any type of hormone replacement therapy ~~the~~

30 ~~→~~ which is lawfully prescribed or ordered and which has been
31 approved by the Food and Drug Administration.

32 2. An insurer that offers or issues a contract for hospital or
33 medical service that provides coverage for prescription drugs shall
34 not:

35 (a) Require an insured to pay a higher deductible, copayment or
36 coinsurance or require a longer waiting period or other condition for
37 coverage for a prescription for ~~the~~ ~~contraceptive or~~ hormone
38 replacement therapy than is required for other prescription drugs
39 covered by the contract;

40 (b) Refuse to issue a contract for hospital or medical service or
41 cancel a contract for hospital or medical service solely because the
42 person applying for or covered by the contract uses or may use in
43 the future ~~any of the services listed in subsection 1;~~ *hormone*
44 *replacement therapy;*



1 (c) Offer or pay any type of material inducement or financial
2 incentive to an insured to discourage the insured from accessing
3 ~~any of the services listed in subsection 1;~~ *hormone replacement*
4 *therapy;*

5 (d) Penalize a provider of health care who provides ~~any of the~~
6 ~~services listed in subsection 1~~ *hormone replacement therapy* to an
7 insured, including, without limitation, reducing the reimbursement
8 of the provider of health care; or

9 (e) Offer or pay any type of material inducement, bonus or other
10 financial incentive to a provider of health care to deny, reduce,
11 withhold, limit or delay ~~any of the services listed in subsection 1~~
12 *hormone replacement therapy* to an insured.

13 3. ~~Except as otherwise provided in subsection 5, a~~ A contract
14 subject to the provisions of this chapter that is delivered, issued for
15 delivery or renewed on or after October 1, 1999, has the legal effect
16 of including the coverage required by subsection 1, and any
17 provision of the contract or the renewal which is in conflict with this
18 section is void.

19 4. The provisions of this section do not:

20 (a) Require an insurer to provide coverage for fertility drugs.

21 (b) Prohibit an insurer from requiring an insured to pay a
22 deductible, copayment or coinsurance for the coverage required by
23 ~~paragraphs (a) and (b) of~~ subsection 1 that is the same as the
24 insured is required to pay for other prescription drugs covered by the
25 contract.

26 5. ~~An insurer which offers or issues a contract for hospital or~~
27 ~~medical service and which is affiliated with a religious organization~~
28 ~~is not required to provide the coverage required by paragraph (a) of~~
29 ~~subsection 1 if the insurer objects on religious grounds. Such an~~
30 ~~insurer shall, before the issuance of a contract for hospital or~~
31 ~~medical service and before the renewal of such a contract, provide~~
32 ~~to the group policyholder or prospective insured, as applicable,~~
33 ~~written notice of the coverage that the insurer refuses to provide~~
34 ~~pursuant to this subsection. The insurer shall provide notice to each~~
35 ~~insured, at the time the insured receives his or her certificate of~~
36 ~~coverage or evidence of coverage, that the insurer refused to provide~~
37 ~~coverage pursuant to this subsection.~~

38 ~~6. If an insurer refuses, pursuant to subsection 5, to provide the~~
39 ~~coverage required by paragraph (a) of subsection 1, an employer~~
40 ~~may otherwise provide for the coverage for the employees of the~~
41 ~~employer.~~

42 ~~7.~~ As used in this section, "provider of health care" has the
43 meaning ascribed to it in NRS 629.031.



1 **Sec. 63.6.** NRS 695B.1918 is hereby amended to read as
2 follows:

3 695B.1918 1. ~~{Except as otherwise provided in subsection 5,~~
4 ~~an}~~ **An** insurer that offers or issues a contract for hospital or medical
5 service which provides coverage for outpatient care shall include in
6 the contract coverage for any health care service related to
7 ~~{contraceptives or}~~ hormone replacement therapy.

8 2. An insurer that offers or issues a contract for hospital or
9 medical service that provides coverage for outpatient care shall not:

10 (a) Require an insured to pay a higher deductible, copayment or
11 coinsurance or require a longer waiting period or other condition for
12 coverage for outpatient care related to ~~{contraceptives or}~~ hormone
13 replacement therapy than is required for other outpatient care
14 covered by the contract;

15 (b) Refuse to issue a contract for hospital or medical service or
16 cancel a contract for hospital or medical service solely because the
17 person applying for or covered by the contract uses or may use in
18 the future ~~{any of the services listed in subsection 1;}~~ **hormone**
19 **replacement therapy;**

20 (c) Offer or pay any type of material inducement or financial
21 incentive to an insured to discourage the insured from accessing
22 ~~{any of the services listed in subsection 1;}~~ **hormone replacement**
23 **therapy;**

24 (d) Penalize a provider of health care who provides ~~{any of the~~
25 ~~services listed in subsection 1}~~ **hormone replacement therapy** to an
26 insured, including, without limitation, reducing the reimbursement
27 of the provider of health care; or

28 (e) Offer or pay any type of material inducement, bonus or other
29 financial incentive to a provider of health care to deny, reduce,
30 withhold, limit or delay ~~{any of the services listed in subsection 1}~~
31 **hormone replacement therapy** to an insured.

32 3. ~~{Except as otherwise provided in subsection 5, a}~~ **A** contract
33 subject to the provisions of this chapter that is delivered, issued for
34 delivery or renewed on or after October 1, 1999, has the legal effect
35 of including the coverage required by subsection 1, and any
36 provision of the contract or the renewal which is in conflict with this
37 section is void.

38 4. The provisions of this section do not prohibit an insurer from
39 requiring an insured to pay a deductible, copayment or coinsurance
40 for the coverage required by subsection 1 that is the same as the
41 insured is required to pay for other outpatient care covered by the
42 contract.

43 5. ~~{An insurer which offers or issues a contract for hospital or~~
44 ~~medical service and which is affiliated with a religious organization~~
45 ~~is not required to provide the coverage for health care service related~~



1 ~~to contraceptives required by this section if the insurer objects on~~
2 ~~religious grounds. Such an insurer shall, before the issuance of a~~
3 ~~contract for hospital or medical service and before the renewal of~~
4 ~~such a contract, provide to the group policyholder or prospective~~
5 ~~insured, as applicable, written notice of the coverage that the insurer~~
6 ~~refuses to provide pursuant to this subsection. The insurer shall~~
7 ~~provide notice to each insured, at the time the insured receives his or~~
8 ~~her certificate of coverage or evidence of coverage, that the insurer~~
9 ~~refused to provide coverage pursuant to this subsection.~~

10 ~~—6.— If an insurer refuses, pursuant to subsection 5, to provide the~~
11 ~~coverage required by paragraph (a) of subsection 1, an employer~~
12 ~~may otherwise provide for the coverage for the employees of the~~
13 ~~employer.~~

14 ~~—7.—~~ As used in this section, “provider of health care” has the
15 meaning ascribed to it in NRS 629.031.

16 **Sec. 64.** NRS 695B.1925 is hereby amended to read as
17 follows:

18 695B.1925 1. A ~~[policy of health insurance]~~ *contract for*
19 *hospital or medical service* issued by a hospital or medical service
20 corporation must provide coverage for benefits payable for expenses
21 incurred for ~~[administering]~~ :

22 *(a) Deoxyribonucleic acid testing for high-risk strains of the*
23 *human papillomavirus every 3 years for women 30 years of age or*
24 *older; and*

25 *(b) Administering* the human papillomavirus vaccine ~~[to women~~
26 ~~and girls]~~ at such ages as recommended for vaccination by a
27 competent authority, including, without limitation, the Centers for
28 Disease Control and Prevention of the United States Department of
29 Health and Human Services, the Food and Drug Administration or
30 the manufacturer of the vaccine.

31 2. ~~[A policy of health insurance issued by a hospital or medical~~
32 ~~service corporation must not require an insured to obtain prior~~
33 ~~authorization for any service provided pursuant to subsection 1.]~~ *An*
34 *insurer must ensure that the benefits required by subsection 1 are*
35 *made available to an insured through a provider of health care*
36 *who participates in the network plan of the insurer.*

37 3. *Except as otherwise provided in subsection 5, an insurer*
38 *that offers or issues a contract for hospital or medical service shall*
39 *not:*

40 *(a) Require an insured to pay a higher deductible, any*
41 *copayment or coinsurance or require a longer waiting period or*
42 *other condition to obtain any benefit provided in the contract for*
43 *hospital or medical service pursuant to subsection 1;*

44 *(b) Refuse to issue a contract for hospital or medical service or*
45 *cancel a contract for hospital or medical service solely because the*



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1 *person applying for or covered by the contract uses or may use a*
2 *benefit provided in the contract for hospital or medical service*
3 *pursuant to subsection 1;*

4 (c) *Offer or pay any type of material inducement or financial*
5 *incentive to an insured to discourage the insured from obtaining*
6 *any such benefit;*

7 (d) *Penalize a provider of health care who provides any such*
8 *benefit to an insured, including, without limitation, reducing the*
9 *reimbursement of the provider of health care;*

10 (e) *Offer or pay any type of material inducement, bonus or*
11 *other financial incentive to a provider of health care to deny,*
12 *reduce, withhold, limit or delay access to any such benefit to an*
13 *insured; or*

14 (f) *Impose any other restrictions or delays on the access of an*
15 *insured to any such benefit.*

16 4. A ~~{policy}~~ *contract for hospital or medical service* subject
17 to the provisions of this chapter which is delivered, issued for
18 delivery or renewed on or after ~~{July 1, 2007.}~~ *January 1, 2018*, has
19 the legal effect of including the coverage required by subsection 1,
20 and any provision of the policy or the renewal which is in conflict
21 with ~~{subsection 1}~~ *this section* is void.

22 ~~{4. For the purposes of this section, "human}~~

23 5. *Except as otherwise provided in this section and federal*
24 *law, an insurer may use medical management techniques,*
25 *including, without limitation, any available clinical evidence, to*
26 *determine the frequency of or treatment relating to any benefit*
27 *required by this section or the type of provider of health care to*
28 *use for such treatment.*

29 6. *As used in this section:*

30 (a) *"Human papillomavirus vaccine"* means the Quadrivalent
31 Human Papillomavirus Recombinant Vaccine or its successor which
32 is approved by the Food and Drug Administration for the prevention
33 of human papillomavirus infection and cervical cancer.

34 (b) *"Medical management technique"* means a practice which
35 *is used to control the cost or utilization of health care services or*
36 *prescription drug use. The term includes, without limitation, the*
37 *use of step therapy, prior authorization or categorizing drugs and*
38 *devices based on cost, type or method of administration.*

39 (c) *"Network plan"* means a contract for hospital or medical
40 *service offered by an insurer under which the financing and*
41 *delivery of medical care, including items and services paid for as*
42 *medical care, are provided, in whole or in part, through a defined*
43 *set of providers of health care under contract with the insurer. The*
44 *term does not include an arrangement for the financing of*
45 *premiums.*



1 ***(d) "Provider of health care" has the meaning ascribed to it in***
2 ***NRS 629.031.***

3 **Sec. 65.** NRS 695B.193 is hereby amended to read as follows:

4 695B.193 1. All individual and group service or indemnity-
5 type contracts issued by a nonprofit corporation which provide
6 coverage for a family member of the subscriber must as to such
7 coverage provide that the health benefits applicable for children are
8 payable with respect to:

9 (a) A newly born child of the subscriber from the moment of
10 birth;

11 (b) An adopted child from the date the adoption becomes
12 effective, if the child was not placed in the home before adoption;
13 and

14 (c) A child placed with the subscriber for the purpose of
15 adoption from the moment of placement as certified by the public or
16 private agency making the placement. The coverage of such a child
17 ceases if the adoption proceedings are terminated as certified by the
18 public or private agency making the placement.

19 ↪ The contracts must provide the coverage specified in subsection
20 3, and must not exclude premature births.

21 2. The contract may require that notification of:

22 (a) The birth of a newly born child;

23 (b) The effective date of adoption of a child; or

24 (c) The date of placement of a child for adoption,

25 ↪ and payments of the required fees, if any, must be furnished to
26 the nonprofit service corporation within 31 days after the date of
27 birth, adoption or placement for adoption in order to have the
28 coverage continue beyond the 31-day period.

29 3. The coverage for newly born and adopted children and
30 children placed for adoption consists of coverage of injury or
31 sickness, including the necessary care and treatment of medically
32 diagnosed congenital defects and birth abnormalities and, within the
33 limits of the policy, necessary transportation costs from place of
34 birth to the nearest specialized treatment center under major medical
35 policies, and with respect to basic policies to the extent such costs
36 are charged by the treatment center.

37 4. ~~A corporation shall not restrict the coverage of a dependent~~
38 ~~child adopted or placed for adoption solely because of a preexisting~~
39 ~~condition the child has at the time the child would otherwise become~~
40 ~~eligible for coverage pursuant to that contract. Any provision~~
41 ~~relating to an exclusion for a preexisting condition must comply~~
42 ~~with NRS 689C.190.~~

43 ~~5.†~~ For covered services provided to the child, the corporation
44 shall reimburse noncontracted providers of health care to an amount
45 equal to the average amount of payment for which the organization



1 has agreements, contracts or arrangements for those covered
2 services.

3 **Sec. 66.** NRS 695B.2555 is hereby amended to read as
4 follows:

5 695B.2555 A ~~converted contract must not exclude a~~
6 ~~preexisting condition not excluded by the group contract, but a~~
7 converted contract may provide that any hospital, surgical or
8 medical benefits payable under it may be reduced by the amount of
9 any benefits payable under the group contract after his or her
10 termination. A converted contract may provide that during the first
11 contract year the benefits payable under it, together with the benefits
12 payable under the group contract, must not exceed those that would
13 have been payable if the subscriber's coverage under the group
14 contract had remained in effect.

15 **Sec. 67.** Chapter 695C of NRS is hereby amended by adding
16 thereto the provisions set forth as sections 68 to 73, inclusive, of this
17 act.

18 **Sec. 68. 1.** *A health maintenance organization shall offer*
19 *or issue a health care plan to any person regardless of the health*
20 *status of the person or any dependent of the person. Such health*
21 *status includes, without limitation:*

22 *(a) Any preexisting medical condition of the person, including,*
23 *without limitation, any physical or mental illness;*

24 *(b) The claims history of the person, including, without*
25 *limitation, any prior health care services received by the person;*

26 *(c) Genetic information relating to the person; and*

27 *(d) Any increased risk for illness, injury or any other medical*
28 *condition of the person, including, without limitation, any medical*
29 *condition caused by an act of domestic violence.*

30 **2.** *A health maintenance organization that offers or issues a*
31 *health care plan shall not:*

32 *(a) Deny, limit or exclude a benefit based on the health status*
33 *of an enrollee; or*

34 *(b) Require an enrollee, as a condition of enrollment or*
35 *renewal, to pay a premium, deductible, copay or coinsurance*
36 *based on his or her health status which is greater than the*
37 *premium, deductible, copay or coinsurance charged to a similarly*
38 *situated enrollee or the covered dependent of such an enrollee who*
39 *does not have such a health status.*

40 **3.** *A health maintenance organization that offers or issues a*
41 *health care plan shall not adjust a premium, deductible, copay or*
42 *coinsurance for any enrollee on the basis of genetic information*
43 *relating to the enrollee or the covered dependent of the enrollee.*

44 **Sec. 69. 1.** *A health maintenance organization that offers*
45 *or issues a health care plan which provides coverage for*



1 *dependent children shall continue to make such coverage*
2 *available for an adult child of an enrollee until such child reaches*
3 *26 years of age.*

4 *2. Nothing in this section shall be construed as requiring a*
5 *health maintenance organization to make coverage available for a*
6 *dependent of an adult child of an enrollee.*

7 **Sec. 69.5.** *1. Except as otherwise provided in subsection 7,*
8 *a health maintenance organization that offers or issues a health*
9 *care plan shall include in the plan coverage for:*

10 *(a) Up to a 12-month supply, per prescription, of any type of*
11 *drug for contraception or its therapeutic equivalent which is:*

12 *(1) Lawfully prescribed or ordered;*

13 *(2) Approved by the Food and Drug Administration;*

14 *(3) Listed in subsection 11; and*

15 *(4) Dispensed in accordance with section 11.3 of this act;*

16 *(b) Any type of device for contraception which is:*

17 *(1) Lawfully prescribed or ordered;*

18 *(2) Approved by the Food and Drug Administration; and*

19 *(3) Listed in subsection 11;*

20 *(c) Insertion of a device for contraception or removal of such a*
21 *device if the device was inserted while the enrollee was covered by*
22 *the same health care plan;*

23 *(d) Education and counseling relating to the initiation of the*
24 *use of contraception and any necessary follow-up after initiating*
25 *such use;*

26 *(e) Management of side effects relating to contraception; and*

27 *(f) Voluntary sterilization for women.*

28 *2. A health maintenance organization must ensure that the*
29 *benefits required by subsection 1 are made available to an enrollee*
30 *through a provider of health care who participates in the network*
31 *plan of the health maintenance organization.*

32 *3. If a covered therapeutic equivalent listed in subsection 1 is*
33 *not available or a provider of health care deems a covered*
34 *therapeutic equivalent to be medically inappropriate, an alternate*
35 *therapeutic equivalent prescribed by a provider of health care*
36 *must be covered by the health maintenance organization.*

37 *4. Except as otherwise provided in subsections 9, 10 and 12, a*
38 *health maintenance organization that offers or issues a health*
39 *care plan shall not:*

40 *(a) Require an enrollee to pay a higher deductible, any*
41 *copayment or coinsurance or require a longer waiting period or*
42 *other condition for coverage to obtain any benefit included in the*
43 *plan pursuant to subsection 1;*



1 ***(b) Refuse to issue a health care plan or cancel a health care***
2 ***plan solely because the person applying for or covered by the plan***
3 ***uses or may use any such benefit;***

4 ***(c) Offer or pay any type of material inducement or financial***
5 ***incentive to an enrollee to discourage the enrollee from obtaining***
6 ***any such benefit;***

7 ***(d) Penalize a provider of health care who provides any such***
8 ***benefit to an enrollee, including, without limitation, reducing the***
9 ***reimbursement of the provider of health care;***

10 ***(e) Offer or pay any type of material inducement, bonus or***
11 ***other financial incentive to a provider of health care to deny,***
12 ***reduce, withhold, limit or delay access to any such benefit to an***
13 ***enrollee; or***

14 ***(f) Impose any other restrictions or delays on the access of an***
15 ***enrollee to any such benefit.***

16 ***5. Coverage pursuant to this section for the covered***
17 ***dependent of an enrollee must be the same as for the enrollee.***

18 ***6. Except as otherwise provided in subsection 7, a health care***
19 ***plan subject to the provisions of this chapter that is delivered,***
20 ***issued for delivery or renewed on or after January 1, 2018, has the***
21 ***legal effect of including the coverage required by subsection 1,***
22 ***and any provision of the plan or the renewal which is in conflict***
23 ***with this section is void.***

24 ***7. A health maintenance organization that offers or issues a***
25 ***health care plan and which is affiliated with a religious***
26 ***organization is not required to provide the coverage required by***
27 ***subsection 1 if the health maintenance organization objects on***
28 ***religious grounds. Such a health maintenance organization shall,***
29 ***before the issuance of a health care plan and before the renewal***
30 ***of such a plan, provide to the prospective enrollee written notice of***
31 ***the coverage that the health maintenance organization refuses to***
32 ***provide pursuant to this subsection.***

33 ***8. If a health maintenance organization refuses, pursuant to***
34 ***subsection 7, to provide the coverage required by subsection 1, an***
35 ***employer may otherwise provide for the coverage for the***
36 ***employees of the employer.***

37 ***9. A health maintenance organization may require an***
38 ***enrollee to pay a higher deductible, copayment or coinsurance for***
39 ***a drug for contraception if the enrollee refuses to accept a***
40 ***therapeutic equivalent of the drug.***

41 ***10. For each of the 18 methods of contraception listed in***
42 ***subsection 11 that have been approved by the Food and Drug***
43 ***Administration, a health care plan must include at least one drug***
44 ***or device for contraception within each method for which no***
45 ***deductible, copayment or coinsurance may be charged to the***



1 *enrollee, but the health maintenance organization may charge a*
2 *deductible, copayment or coinsurance for any other drug or device*
3 *that provides the same method of contraception.*

4 *11. The following 18 methods of contraception must be*
5 *covered pursuant to this section:*

- 6 *(a) Voluntary sterilization for women;*
- 7 *(b) Surgical sterilization implants for women;*
- 8 *(c) Implantable rods;*
- 9 *(d) Copper-based intrauterine devices;*
- 10 *(e) Progesterone-based intrauterine devices;*
- 11 *(f) Injections;*
- 12 *(g) Combined estrogen- and progestin-based drugs;*
- 13 *(h) Progestin-based drugs;*
- 14 *(i) Extended- or continuous-regimen drugs;*
- 15 *(j) Estrogen- and progestin-based patches;*
- 16 *(k) Vaginal contraceptive rings;*
- 17 *(l) Diaphragms with spermicide;*
- 18 *(m) Sponges with spermicide;*
- 19 *(n) Cervical caps with spermicide;*
- 20 *(o) Female condoms;*
- 21 *(p) Spermicide;*
- 22 *(q) Combined estrogen- and progestin-based drugs for*
23 *emergency contraception or progestin-based drugs for emergency*
24 *contraception; and*
- 25 *(r) Ulipristal acetate for emergency contraception.*

26 *12. Except as otherwise provided in this section and federal*
27 *law, a health maintenance organization may use medical*
28 *management techniques, including, without limitation, any*
29 *available clinical evidence, to determine the frequency of or*
30 *treatment relating to any benefit required by this section or the*
31 *type of provider of health care to use for such treatment.*

32 *13. A health maintenance organization shall not use medical*
33 *management techniques to require an enrollee to use a different*
34 *method of contraception other than the method prescribed or*
35 *ordered by a provider of health care.*

36 *14. A health maintenance organization must provide an*
37 *accessible, transparent and expedited process which is not unduly*
38 *burdensome by which an enrollee, or the authorized representative*
39 *of the enrollee, may request an exception relating to any medical*
40 *management technique used by the health maintenance*
41 *organization to obtain any benefit required by this section without*
42 *a higher deductible, copayment or coinsurance.*

43 *15. As used in this section:*

44 *(a) "Medical management technique" means a practice which*
45 *is used to control the cost or utilization of health care services or*



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1 *prescription drug use. The term includes, without limitation, the*
2 *use of step therapy, prior authorization or categorizing drugs and*
3 *devices based on cost, type or method of administration.*

4 (b) *“Network plan” means a health care plan offered by a*
5 *health maintenance organization under which the financing and*
6 *delivery of medical care, including items and services paid for as*
7 *medical care, are provided, in whole or in part, through a defined*
8 *set of providers of health care under contract with the health*
9 *maintenance organization. The term does not include an*
10 *arrangement for the financing of premiums.*

11 (c) *“Provider of health care” has the meaning ascribed to it in*
12 *NRS 629.031.*

13 (d) *“Therapeutic equivalent” means a drug which:*

14 (1) *Contains an identical amount of the same active*
15 *ingredients in the same dosage and method of administration as*
16 *another drug;*

17 (2) *Is expected to have the same clinical effect when*
18 *administered to a patient pursuant to a prescription or order as*
19 *another drug; and*

20 (3) *Meets any other criteria required by the Food and Drug*
21 *Administration for classification as a therapeutic equivalent.*

22 **Sec. 70. 1.** *A health maintenance organization that offers*
23 *or issues a health care plan shall include in the plan coverage for:*

24 (a) *Counseling and support for breastfeeding, including*
25 *breastfeeding equipment, counseling and education during the*
26 *antenatal, perinatal and postpartum period for not more than 1*
27 *year;*

28 (b) *Screening and counseling for interpersonal and domestic*
29 *violence for women at least annually, with initial intervention*
30 *services consisting of education, strategies to reduce harm,*
31 *supportive services or a referral for any other appropriate*
32 *services;*

33 (c) *Behavioral counseling concerning sexually transmitted*
34 *diseases from a provider of health care for sexually active women*
35 *who are at increased risk for such diseases;*

36 (d) *Such prenatal screenings and tests as recommended by the*
37 *American College of Obstetricians and Gynecologists or its*
38 *successor organization;*

39 (e) *Screening for blood pressure abnormalities and diabetes,*
40 *including gestational diabetes, after at least 24 weeks of gestation*
41 *or as ordered by a provider of health care;*

42 (f) *Screening for cervical cancer at such intervals as are*
43 *recommended by the American College of Obstetricians and*
44 *Gynecologists or its successor organization;*



1 (g) Such well-woman preventive visits as recommended by the
2 Health Resources and Services Administration, which must
3 include at least one such visit per year beginning at 14 years of
4 age;

5 (h) A daily dose of 0.4 to 0.8 milligrams of folic acid for
6 women who are capable of becoming pregnant;

7 (i) Aspirin for the prevention of preeclampsia for women who
8 are determined to be at a high risk of that condition after 12 weeks
9 of gestation;

10 (j) Medication to prevent breast cancer for women who are at
11 a high risk of developing breast cancer and have a low risk of
12 adverse side effects from the medication; and

13 (k) Prophylactic ocular tubal medication for the prevention of
14 gonococcal ophthalmia in newborns.

15 2. A health maintenance organization must ensure that the
16 benefits required by subsection 1 are made available to an enrollee
17 through a provider of health care who participates in the network
18 plan of the health maintenance organization.

19 3. Except as otherwise provided in subsection 5, a health
20 maintenance organization that offers or issues a health care plan
21 shall not:

22 (a) Require an enrollee to pay a higher deductible, any
23 copayment or coinsurance or require a longer waiting period or
24 other condition to obtain any benefit provided in the health care
25 plan pursuant to subsection 1;

26 (b) Refuse to issue a health care plan or cancel a health care
27 plan solely because the person applying for or covered by the plan
28 uses or may use a benefit provided in the health care plan
29 pursuant to subsection 1;

30 (c) Offer or pay any type of material inducement or financial
31 incentive to an enrollee to discourage the enrollee from obtaining
32 any such benefit;

33 (d) Penalize a provider of health care who provides any such
34 benefit to an enrollee, including, without limitation, reducing the
35 reimbursement of the provider of health care;

36 (e) Offer or pay any type of material inducement, bonus or
37 other financial incentive to a provider of health care to deny,
38 reduce, withhold, limit or delay access to any such benefit to an
39 enrollee; or

40 (f) Impose any other restrictions or delays on the access of an
41 enrollee to any such benefit.

42 4. An evidence of coverage subject to the provisions of this
43 chapter that is delivered, issued for delivery or renewed on or after
44 January 1, 2018, has the legal effect of including the coverage
45 required by subsection 1, and any provision of the evidence of



1 coverage or the renewal which is in conflict with this section is
2 void.

3 5. Except as otherwise provided in this section and federal
4 law, a health maintenance organization may use medical
5 management techniques, including, without limitation, any
6 available clinical evidence, to determine the frequency of or
7 treatment relating to any benefit required by this section or the
8 type of provider of health care to use for such treatment.

9 6. As used in this section:

10 (a) "Medical management technique" means a practice which
11 is used to control the cost or utilization of health care services or
12 prescription drug use. The term includes, without limitation, the
13 use of step therapy, prior authorization or categorizing drugs and
14 devices based on cost, type or method of administration.

15 (b) "Network plan" means a health care plan offered by a
16 health maintenance organization under which the financing and
17 delivery of medical care, including items and services paid for as
18 medical care, are provided, in whole or in part, through a defined
19 set of providers of health care under contract with the health
20 maintenance organization. The term does not include an
21 arrangement for the financing of premiums.

22 (c) "Provider of health care" has the meaning ascribed to it in
23 NRS 629.031.

24 **Sec. 71. 1.** A health maintenance organization that offers
25 or issues a health care plan shall include in the plan coverage for:

26 (a) Counseling relating to the dietary needs of adults who are
27 at a high risk of chronic diseases;

28 (b) Statin preventive medication for persons between the ages
29 of 40 and 75 years who do not have a history of cardiovascular
30 disease, but who have:

31 (1) One or more risk factors for cardiovascular disease;
32 and

33 (2) A calculated risk of at least 10 percent of acquiring
34 cardiovascular disease within the next 10 years;

35 (c) Aspirin for persons between the ages of 50 and 59 years
36 who have a calculated risk of at least 10 percent of acquiring
37 cardiovascular disease within the next 10 years and a life
38 expectancy of at least 10 years;

39 (d) Vitamin D supplements for persons who are at least 65
40 years of age to prevent the person from falling if the person:

41 (1) Does not reside in a medical facility or a facility for the
42 dependent; and

43 (2) Has an increased risk of falls;

44 (e) Tuberculosis screenings for latent tuberculosis infection in
45 persons with increased risk of contracting tuberculosis;



1 (f) Screening for high blood pressure to confirm a diagnosis
2 made outside a clinical setting before treatment is commenced;

3 (g) One abdominal aortic screening by ultrasound to detect
4 abdominal aortic aneurisms for men between the ages of 65 and
5 75 years who have smoked during their lifetimes;

6 (h) Screening for hepatitis B infection for persons who are at a
7 high risk of contracting hepatitis B;

8 (i) Screening for hepatitis C infection for persons who are at a
9 high risk of contracting hepatitis C;

10 (j) One screening for hepatitis C infection for persons born
11 between 1945 and 1965;

12 (k) Screening for osteoporosis for women who:

13 (1) Are 65 years of age and older; or

14 (2) Have a risk of fracturing a bone equal to or greater
15 than that of a woman who is 65 years of age without any
16 additional risk factors;

17 (l) Screening for alcohol misuse for persons 18 years of age or
18 older;

19 (m) If a person engages in risky or hazardous consumption of
20 alcohol, as determined by the screening described in paragraph
21 (l), behavioral counseling to reduce such behavior; and

22 (n) Screening for lung cancer using low-dose computed
23 tomography for persons between the ages of 55 and 80 years who:

24 (1) Have a smoking history of 30 pack-years;

25 (2) Smoke or have stopped smoking within the immediately
26 preceding 15 years; and

27 (3) Do not suffer from a health problem that substantially
28 limits the life expectancy of the person or the willingness of the
29 person to undergo curative surgery.

30 2. A health maintenance organization must ensure that the
31 benefits required by subsection 1 are made available to an enrollee
32 through a provider of health care who participates in the network
33 plan of the health maintenance organization.

34 3. Except as otherwise provided in subsection 5, a health
35 maintenance organization that offers or issues a health care plan
36 shall not:

37 (a) Require an enrollee to pay a higher deductible, any
38 copayment or coinsurance or require a longer waiting period or
39 other condition to obtain any benefit provided in the health care
40 plan pursuant to subsection 1;

41 (b) Refuse to issue a health care plan or cancel a health care
42 plan solely because the person applying for or covered by the plan
43 uses or may use a benefit provided in the health care plan
44 pursuant to subsection 1;



1 (c) Offer or pay any type of material inducement or financial
2 incentive to an enrollee to discourage the enrollee from obtaining
3 any such benefit;

4 (d) Penalize a provider of health care who provides any such
5 benefit to an enrollee, including, without limitation, reducing the
6 reimbursement of the provider of health care;

7 (e) Offer or pay any type of material inducement, bonus or
8 other financial incentive to a provider of health care to deny,
9 reduce, withhold, limit or delay access to any such benefit to an
10 enrollee; or

11 (f) Impose any other restrictions or delays on the access of an
12 enrollee to any such benefit.

13 4. An evidence of coverage subject to the provisions of this
14 chapter that is delivered, issued for delivery or renewed on or after
15 January 1, 2018, has the legal effect of including the coverage
16 required by subsection 1, and any provision of the evidence of
17 coverage or the renewal which is in conflict with this section is
18 void.

19 5. Except as otherwise provided in this section and federal
20 law, a health maintenance organization may use medical
21 management techniques, including, without limitation, any
22 available clinical evidence, to determine the frequency of or
23 treatment relating to any benefit required by this section or the
24 type of provider of health care to use for such treatment.

25 6. As used in this section:

26 (a) "Computed tomography" means the process of producing
27 sectional and three-dimensional images using external ionizing
28 radiation.

29 (b) "Facility for the dependent" has the meaning ascribed to it
30 in NRS 449.0045.

31 (c) "Medical facility" has the meaning ascribed to it in
32 NRS 449.0151.

33 (d) "Medical management technique" means a practice which
34 is used to control the cost or utilization of health care services or
35 prescription drug use. The term includes, without limitation, the
36 use of step therapy, prior authorization or categorizing drugs and
37 devices based on cost, type or method of administration.

38 (e) "Network plan" means a health care plan offered by a
39 health maintenance organization under which the financing and
40 delivery of medical care, including items and services paid for as
41 medical care, are provided, in whole or in part, through a defined
42 set of providers of health care under contract with the health
43 maintenance organization. The term does not include an
44 arrangement for the financing of premiums.



1 (f) "Pack-year" means the product of the number of packs of
2 cigarettes smoked per day and the number of years that the person
3 has smoked.

4 (g) "Provider of health care" has the meaning ascribed to it in
5 NRS 629.031.

6 **Sec. 72. 1. A health maintenance organization that offers**
7 **or issues a health care plan shall include in the plan coverage for:**

8 (a) Screening for depression;

9 (b) All vaccinations recommended by the Advisory Committee
10 on Immunization Practices of the Centers for Disease Control and
11 Prevention of the United States Department of Health and Human
12 Services or its successor organization;

13 (c) Screening, tests and counseling for such other health
14 conditions and diseases as recommended by the Health Resources
15 and Services Administration for persons less than 18 years of age;
16 and

17 (d) Assessments relating to height, weight, body mass index
18 and medical history for persons less than 18 years of age.

19 2. A health maintenance organization must ensure that the
20 benefits required by subsection 1 are made available to an enrollee
21 through a provider of health care who participates in the network
22 plan of the health maintenance organization.

23 3. Except as otherwise provided in subsection 5, a health
24 maintenance organization that offers or issues a health care plan
25 shall not:

26 (a) Require an enrollee to pay a higher deductible, any
27 copayment or coinsurance or require a longer waiting period or
28 other condition to obtain any benefit provided in the health care
29 plan pursuant to subsection 1;

30 (b) Refuse to issue a health care plan or cancel a health care
31 plan solely because the person applying for or covered by the plan
32 uses or may use a benefit provided in the health care plan
33 pursuant to subsection 1;

34 (c) Offer or pay any type of material inducement or financial
35 incentive to an enrollee to discourage the enrollee from obtaining
36 any such benefit;

37 (d) Penalize a provider of health care who provides any such
38 benefit to an enrollee, including, without limitation, reducing the
39 reimbursement of the provider of health care;

40 (e) Offer or pay any type of material inducement, bonus or
41 other financial incentive to a provider of health care to deny,
42 reduce, withhold, limit or delay access to any such benefit to an
43 enrollee; or

44 (f) Impose any other restrictions or delays on the access of an
45 enrollee to any such benefit.



1 4. *An evidence of coverage subject to the provisions of this*
2 *chapter that is delivered, issued for delivery or renewed on or after*
3 *January 1, 2018, has the legal effect of including the coverage*
4 *required by subsection 1, and any provision of the evidence of*
5 *coverage or the renewal which is in conflict with this section is*
6 *void.*

7 5. *Except as otherwise provided in this section and federal*
8 *law, a health maintenance organization may use medical*
9 *management techniques, including, without limitation, any*
10 *available clinical evidence, to determine the frequency of or*
11 *treatment relating to any benefit required by this section or the*
12 *type of provider of health care to use for such treatment.*

13 6. *As used in this section:*

14 (a) *“Medical management technique” means a practice which*
15 *is used to control the cost or utilization of health care services or*
16 *prescription drug use. The term includes, without limitation, the*
17 *use of step therapy, prior authorization or categorizing drugs and*
18 *devices based on cost, type or method of administration.*

19 (b) *“Network plan” means a health care plan offered by a*
20 *health maintenance organization under which the financing and*
21 *delivery of medical care, including items and services paid for as*
22 *medical care, are provided, in whole or in part, through a defined*
23 *set of providers of health care under contract with the health*
24 *maintenance organization. The term does not include an*
25 *arrangement for the financing of premiums.*

26 (c) *“Provider of health care” has the meaning ascribed to it in*
27 *NRS 629.031.*

28 **Sec. 73. 1.** *Except as otherwise provided in this subsection,*
29 *an evidence of coverage issued pursuant to this chapter may not*
30 *restrict benefits for any length of stay in a hospital in connection*
31 *with childbirth for a mother or newborn infant covered by the*
32 *health care plan to:*

33 (a) *Less than 48 hours after a normal vaginal delivery; and*

34 (b) *Less than 96 hours after a cesarean section.*

35 ↪ *If a different length of stay is provided in the guidelines*
36 *established by the American College of Obstetricians and*
37 *Gynecologists, or its successor organization, and the American*
38 *Academy of Pediatrics, or its successor organization, the health*
39 *care plan may follow such guidelines in lieu of following the*
40 *length of stay set forth above. The provisions of this subsection do*
41 *not apply to any health care plan in any case in which the decision*
42 *to discharge the mother or newborn infant before the expiration of*
43 *the minimum length of stay set forth in this subsection is made by*
44 *the attending physician of the mother or newborn infant.*

45 2. *Nothing in this section requires a mother to:*



- 1 (a) *Deliver her baby in a hospital; or*
2 (b) *Stay in a hospital for a fixed period following the birth of*
3 *her child.*

4 3. *A health care plan may not:*

5 (a) *Deny a mother or her newborn infant coverage or*
6 *continued coverage under the terms of the plan or coverage if the*
7 *sole purpose of the denial of coverage or continued coverage is to*
8 *avoid the requirements of this section;*

9 (b) *Provide monetary payments or rebates to a mother to*
10 *encourage her to accept less than the minimum protection*
11 *available pursuant to this section;*

12 (c) *Penalize, or otherwise reduce or limit, the reimbursement*
13 *of an attending provider of health care because the attending*
14 *provider of health care provided care to a mother or newborn*
15 *infant in accordance with the provisions of this section;*

16 (d) *Provide incentives of any kind to an attending physician to*
17 *induce the attending physician to provide care to a mother or*
18 *newborn infant in a manner that is inconsistent with the*
19 *provisions of this section; or*

20 (e) *Except as otherwise provided in subsection 4, restrict*
21 *benefits for any portion of a hospital stay required pursuant to the*
22 *provisions of this section in a manner that is less favorable than*
23 *the benefits provided for any preceding portion of that stay.*

24 4. *Nothing in this section:*

25 (a) *Prohibits a health care plan from imposing a deductible,*
26 *coinsurance or other mechanism for sharing costs relating to*
27 *benefits for hospital stays in connection with childbirth for a*
28 *mother or newborn child covered by the plan, except that such*
29 *coinsurance or other mechanism for sharing costs for any portion*
30 *of a hospital stay required by this section may not be greater than*
31 *the coinsurance or other mechanism for any preceding portion of*
32 *that stay.*

33 (b) *Prohibits an arrangement for payment between a health*
34 *maintenance organization and a provider of health care that uses*
35 *capitation or other financial incentives, if the arrangement is*
36 *designed to provide services efficiently and consistently in the best*
37 *interest of the mother and her newborn infant.*

38 (c) *Prevents a health maintenance organization from*
39 *negotiating with a provider of health care concerning the level and*
40 *type of reimbursement to be provided in accordance with this*
41 *section.*

42 5. *An evidence of coverage subject to the provisions of this*
43 *chapter that is delivered, issued for delivery or renewed on or after*
44 *January 1, 2018, has the legal effect of including the coverage*
45 *required by subsection 1, and any provision of the evidence of*



1 *coverage or the renewal which is in conflict with this section is*
2 *void.*

3 *6. As used in this section, “provider of health care” has the*
4 *meaning ascribed to it in NRS 629.031.*

5 **Sec. 74.** NRS 695C.050 is hereby amended to read as follows:

6 695C.050 1. Except as otherwise provided in this chapter or
7 in specific provisions of this title, the provisions of this title are not
8 applicable to any health maintenance organization granted a
9 certificate of authority under this chapter. This provision does not
10 apply to an insurer licensed and regulated pursuant to this title
11 except with respect to its activities as a health maintenance
12 organization authorized and regulated pursuant to this chapter.

13 2. Solicitation of enrollees by a health maintenance
14 organization granted a certificate of authority, or its representatives,
15 must not be construed to violate any provision of law relating to
16 solicitation or advertising by practitioners of a healing art.

17 3. Any health maintenance organization authorized under this
18 chapter shall not be deemed to be practicing medicine and is exempt
19 from the provisions of chapter 630 of NRS.

20 4. The provisions of NRS 695C.110, 695C.125, 695C.1691,
21 695C.1693, 695C.170, 695C.1703, 695C.1705, 695C.1709 to
22 695C.173, inclusive, 695C.1733, 695C.17335, 695C.1734,
23 ~~695C.1735 to~~ *695C.1751*, 695C.1755, ~~inclusive,~~ 695C.176 to
24 695C.200, inclusive, and 695C.265 do not apply to a health
25 maintenance organization that provides health care services through
26 managed care to recipients of Medicaid under the State Plan for
27 Medicaid or insurance pursuant to the Children’s Health Insurance
28 Program pursuant to a contract with the Division of Health Care
29 Financing and Policy of the Department of Health and Human
30 Services. This subsection does not exempt a health maintenance
31 organization from any provision of this chapter for services
32 provided pursuant to any other contract.

33 5. The provisions of NRS 695C.1694, 695C.1695, 695C.1708,
34 695C.1731, 695C.17345 ~~and~~ , *695C.1735, 695C.1745 and*
35 *695C.1757 and sections 68 to 73, inclusive, of this act* apply to a
36 health maintenance organization that provides health care services
37 through managed care to recipients of Medicaid under the State Plan
38 for Medicaid.

39 **Sec. 74.3.** NRS 695C.1694 is hereby amended to read as
40 follows:

41 695C.1694 1. ~~Except as otherwise provided in subsection 5,~~
42 ~~a~~ *A* health maintenance organization which offers or issues a health
43 care plan that provides coverage for prescription drugs or devices
44 shall include in the plan coverage for ~~f~~:

45 ~~—(a) Any type of drug or device for contraception; and~~



- 1 ~~—(b) Any~~ **any** type of hormone replacement therapy ~~f;~~
2 ~~→~~ which is lawfully prescribed or ordered and which has been
3 approved by the Food and Drug Administration.
- 4 2. A health maintenance organization that offers or issues a
5 health care plan that provides coverage for prescription drugs shall
6 not:
- 7 (a) Require an enrollee to pay a higher deductible, copayment or
8 coinsurance or require a longer waiting period or other condition for
9 coverage for ~~{a prescription for a contraceptive or}~~ hormone
10 replacement therapy than is required for other prescription drugs
11 covered by the plan;
- 12 (b) Refuse to issue a health care plan or cancel a health care plan
13 solely because the person applying for or covered by the plan uses
14 or may use in the future ~~{any of the services listed in subsection 1;}~~
15 **hormone replacement therapy;**
- 16 (c) Offer or pay any type of material inducement or financial
17 incentive to an enrollee to discourage the enrollee from accessing
18 ~~{any of the services listed in subsection 1;}~~ **hormone replacement**
19 **therapy;**
- 20 (d) Penalize a provider of health care who provides ~~{any of the~~
21 ~~services listed in subsection 1}~~ **hormone replacement therapy** to an
22 enrollee, including, without limitation, reducing the reimbursement
23 of the provider of health care; or
- 24 (e) Offer or pay any type of material inducement, bonus or other
25 financial incentive to a provider of health care to deny, reduce,
26 withhold, limit or delay ~~{any of the services listed in subsection 1}~~
27 **hormone replacement therapy** to an enrollee.
- 28 3. ~~{Except as otherwise provided in subsection 5, evidence}~~
29 **Evidence** of coverage subject to the provisions of this chapter that is
30 delivered, issued for delivery or renewed on or after October 1,
31 1999, has the legal effect of including the coverage required by
32 subsection 1, and any provision of the evidence of coverage or the
33 renewal which is in conflict with this section is void.
- 34 4. The provisions of this section do not:
- 35 (a) Require a health maintenance organization to provide
36 coverage for fertility drugs.
- 37 (b) Prohibit a health maintenance organization from requiring an
38 enrollee to pay a deductible, copayment or coinsurance for the
39 coverage required by ~~{paragraphs (a) and (b) of}~~ subsection 1 that is
40 the same as the enrollee is required to pay for other prescription
41 drugs covered by the plan.
- 42 5. ~~{A health maintenance organization which offers or issues a~~
43 ~~health care plan and which is affiliated with a religious organization~~
44 ~~is not required to provide the coverage required by paragraph (a) of~~
45 ~~subsection 1 if the health maintenance organization objects on~~



1 ~~religious grounds. The health maintenance organization shall, before~~
2 ~~the issuance of a health care plan and before renewal of enrollment~~
3 ~~in such a plan, provide to the group policyholder or prospective~~
4 ~~enrollee, as applicable, written notice of the coverage that the health~~
5 ~~maintenance organization refuses to provide pursuant to this~~
6 ~~subsection. The health maintenance organization shall provide~~
7 ~~notice to each enrollee, at the time the enrollee receives his or her~~
8 ~~evidence of coverage, that the health maintenance organization~~
9 ~~refused to provide coverage pursuant to this subsection.~~

10 ~~—6.— If a health maintenance organization refuses, pursuant to~~
11 ~~subsection 5, to provide the coverage required by paragraph (a) of~~
12 ~~subsection 1, an employer may otherwise provide for the coverage~~
13 ~~for the employees of the employer.~~

14 ~~—7.—~~ As used in this section, “provider of health care” has the
15 meaning ascribed to it in NRS 629.031.

16 **Sec. 74.6.** NRS 695C.1695 is hereby amended to read as
17 follows:

18 695C.1695 1. ~~{Except as otherwise provided in subsection 5,~~
19 ~~a} A health maintenance organization that offers or issues a health
20 care plan which provides coverage for outpatient care shall include
21 in the plan coverage for any health care service related to
22 ~~{contraceptives or}~~ hormone replacement therapy.~~

23 2. A health maintenance organization that offers or issues a
24 health care plan that provides coverage for outpatient care shall not:

25 (a) Require an enrollee to pay a higher deductible, copayment or
26 coinsurance or require a longer waiting period or other condition for
27 coverage for outpatient care related to ~~{contraceptives or}~~ hormone
28 replacement therapy than is required for other outpatient care
29 covered by the plan;

30 (b) Refuse to issue a health care plan or cancel a health care plan
31 solely because the person applying for or covered by the plan uses
32 or may use in the future ~~{any of the services listed in subsection 1;}~~
33 *hormone replacement therapy;*

34 (c) Offer or pay any type of material inducement or financial
35 incentive to an enrollee to discourage the enrollee from accessing
36 ~~{any of the services listed in subsection 1;}~~ *hormone replacement*
37 *therapy;*

38 (d) Penalize a provider of health care who provides ~~{any of the~~
39 ~~services listed in subsection 1}~~ *hormone replacement therapy* to an
40 enrollee, including, without limitation, reducing the reimbursement
41 of the provider of health care; or

42 (e) Offer or pay any type of material inducement, bonus or other
43 financial incentive to a provider of health care to deny, reduce,
44 withhold, limit or delay ~~{any of the services listed in subsection 1;}~~
45 *hormone replacement therapy* to an enrollee.



1 3. ~~Except as otherwise provided in subsection 5, evidence~~
2 **Evidence** of coverage subject to the provisions of this chapter that is
3 delivered, issued for delivery or renewed on or after October 1,
4 1999, has the legal effect of including the coverage required by
5 subsection 1, and any provision of the evidence of coverage or the
6 renewal which is in conflict with this section is void.

7 4. The provisions of this section do not prohibit a health
8 maintenance organization from requiring an enrollee to pay a
9 deductible, copayment or coinsurance for the coverage required by
10 subsection 1 that is the same as the enrollee is required to pay for
11 other outpatient care covered by the plan.

12 5. ~~A health maintenance organization which offers or issues a~~
13 ~~health care plan and which is affiliated with a religious organization~~
14 ~~is not required to provide the coverage for health care service related~~
15 ~~to contraceptives required by this section if the health maintenance~~
16 ~~organization objects on religious grounds. The health maintenance~~
17 ~~organization shall, before the issuance of a health care plan and~~
18 ~~before renewal of enrollment in such a plan, provide to the group~~
19 ~~policyholder or prospective enrollee, as applicable, written notice of~~
20 ~~the coverage that the health maintenance organization refuses to~~
21 ~~provide pursuant to this subsection. The health maintenance~~
22 ~~organization shall provide notice to each enrollee, at the time the~~
23 ~~enrollee receives his or her evidence of coverage, that the health~~
24 ~~maintenance organization refused to provide coverage pursuant to~~
25 ~~this subsection.~~

26 ~~6. If a health maintenance organization refuses, pursuant to~~
27 ~~subsection 5, to provide the coverage required by paragraph (a) of~~
28 ~~subsection 1, an employer may otherwise provide for the coverage~~
29 ~~for the employees of the employer.~~

30 ~~7.~~ As used in this section, "provider of health care" has the
31 meaning ascribed to it in NRS 629.031.

32 **Sec. 75.** NRS 695C.173 is hereby amended to read as follows:

33 695C.173 1. All individual and group health care plans which
34 provide coverage for a family member of the enrollee must as to
35 such coverage provide that the health care services applicable for
36 children are payable with respect to:

37 (a) A newly born child of the enrollee from the moment of birth;

38 (b) An adopted child from the date the adoption becomes
39 effective, if the child was not placed in the home before adoption;
40 and

41 (c) A child placed with the enrollee for the purpose of adoption
42 from the moment of placement as certified by the public or private
43 agency making the placement. The coverage of such a child ceases
44 if the adoption proceedings are terminated as certified by the public
45 or private agency making the placement.



1 ↳ The plans must provide the coverage specified in subsection 3,
2 and must not exclude premature births.
3 2. The evidence of coverage may require that notification of:
4 (a) The birth of a newly born child;
5 (b) The effective date of adoption of a child; or
6 (c) The date of placement of a child for adoption,
7 ↳ and payments of the required charge, if any, must be furnished to
8 the health maintenance organization within 31 days after the date of
9 birth, adoption or placement for adoption in order to have the
10 coverage continue beyond the 31-day period.

11 3. The coverage for newly born and adopted children and
12 children placed for adoption consists of preventive health care
13 services as well as coverage of injury or sickness, including the
14 necessary care and treatment of medically diagnosed congenital
15 defects and birth abnormalities and, within the limits of the policy,
16 necessary transportation costs from place of birth to the nearest
17 specialized treatment center under major medical policies, and with
18 respect to basic policies to the extent such costs are charged by the
19 treatment center.

20 4. ~~¶ A health maintenance organization shall not restrict the~~
21 ~~coverage of a dependent child adopted or placed for adoption solely~~
22 ~~because of a preexisting condition the child has at the time the child~~
23 ~~would otherwise become eligible for coverage pursuant to that plan.~~
24 ~~Any provision relating to an exclusion for a preexisting condition~~
25 ~~must comply with NRS 689B.500 or 689C.190, as appropriate.~~

26 ~~—5.¶~~ For covered services provided to the child, the health
27 maintenance organization shall reimburse noncontracted providers
28 of health care to an amount equal to the average amount of payment
29 for which the organization has agreements, contracts or
30 arrangements for those covered services.

31 **Sec. 76.** NRS 695C.1735 is hereby amended to read as
32 follows:

33 695C.1735 1. A health maintenance *organization which*
34 *offers or issues a health care* plan must provide coverage for
35 benefits payable for expenses incurred for:

36 (a) ~~¶ An annual cytologic screening test for women 18 years of~~
37 ~~age or older;~~

38 ~~—(b) A baseline mammogram for women between the ages of 35~~
39 ~~and 40; and~~

40 ~~—(c) An annual ¶~~ A mammogram *every 2 years, or annually if*
41 *ordered by a provider of health care*, for women 40 years of age or
42 older ~~¶~~;

43 **(b) Counseling concerning genetic testing for breast cancer for**
44 **women who are at a high risk of developing breast cancer; and**



1 (c) *Counseling concerning breast cancer chemoprevention for*
2 *women who are at risk of developing breast cancer.*

3 2. A health maintenance ~~plan must not require an insured to~~
4 ~~obtain prior authorization for any service provided pursuant to~~
5 ~~subsection 1.~~ *organization must ensure that the benefits required*
6 *by subsection 1 are made available to an enrollee through a*
7 *provider of health care who participates in the network plan of the*
8 *health maintenance organization.*

9 3. *Except as otherwise provided in subsection 5, a health*
10 *maintenance organization that offers or issues a health care plan*
11 *shall not:*

12 (a) *Require an enrollee to pay a higher deductible, any*
13 *copayment or coinsurance or require a longer waiting period or*
14 *other condition to obtain any benefit provided in the health care*
15 *plan pursuant to subsection 1;*

16 (b) *Refuse to issue a health care plan or cancel a health care*
17 *plan solely because the person applying for or covered by the plan*
18 *uses or may use a benefit provided in the health care plan*
19 *pursuant to subsection 1;*

20 (c) *Offer or pay any type of material inducement or financial*
21 *incentive to an enrollee to discourage the enrollee from obtaining*
22 *any such benefit;*

23 (d) *Penalize a provider of health care who provides any such*
24 *benefit to an enrollee, including, without limitation, reducing the*
25 *reimbursement of the provider of health care;*

26 (e) *Offer or pay any type of material inducement, bonus or*
27 *other financial incentive to a provider of health care to deny,*
28 *reduce, withhold, limit or delay access to any such benefit to an*
29 *enrollee; or*

30 (f) *Impose any other restrictions or delays on the access of an*
31 *enrollee to any such benefit.*

32 4. ~~{A policy}~~ *An evidence of coverage* subject to the provisions
33 of this chapter which is delivered, issued for delivery or renewed on
34 or after ~~{October 1, 1989.}~~ *January 1, 2018*, has the legal effect of
35 including the coverage required by subsection 1, and any provision
36 of the ~~{policy}~~ *evidence of coverage* or the renewal which is in
37 conflict with ~~{subsection 1}~~ *this section* is void.

38 5. *Except as otherwise provided in this section and federal*
39 *law, a health maintenance organization may use medical*
40 *management techniques, including, without limitation, any*
41 *available clinical evidence, to determine the frequency of or*
42 *treatment relating to any benefit required by this section or the*
43 *type of provider of health care to use for such treatment.*

44 6. *As used in this section:*



1 (a) "Medical management technique" means a practice which
2 is used to control the cost or utilization of health care services or
3 prescription drug use. The term includes, without limitation, the
4 use of step therapy, prior authorization or categorizing drugs and
5 devices based on cost, type or method of administration.

6 (b) "Network plan" means a health care plan offered by a
7 health maintenance organization under which the financing and
8 delivery of medical care, including items and services paid for as
9 medical care, are provided, in whole or in part, through a defined
10 set of providers of health care under contract with the health
11 maintenance organization. The term does not include an
12 arrangement for the financing of premiums.

13 (c) "Provider of health care" has the meaning ascribed to it in
14 NRS 629.031.

15 Sec. 77. NRS 695C.1745 is hereby amended to read as
16 follows:

17 695C.1745 1. A health care plan of a health maintenance
18 organization must provide coverage for benefits payable for
19 expenses incurred for ~~administering~~ :

20 (a) Deoxyribonucleic acid testing for high-risk strains of the
21 human papillomavirus every 3 years for women 30 years of age or
22 older; and

23 (b) Administering the human papillomavirus vaccine as
24 recommended for vaccination by a competent authority, including,
25 without limitation, the Centers for Disease Control and Prevention
26 of the United States Department of Health and Human Services, the
27 Food and Drug Administration or the manufacturer of the vaccine.

28 2. A health ~~care plan of a health maintenance organization~~
29 ~~must not require an insured to obtain prior authorization for any~~
30 ~~service provided pursuant to subsection 1.] maintenance~~
31 ~~organization must ensure that the benefits required by subsection~~
32 ~~1 are made available to an enrollee through a provider of health~~
33 ~~care who participates in the network plan of the health~~
34 ~~maintenance organization.~~

35 3. Except as otherwise provided in subsection 5, a health
36 maintenance organization that offers or issues a health care plan
37 shall not:

38 (a) Require an enrollee to pay a higher deductible, any
39 copayment or coinsurance or require a longer waiting period or
40 other condition to obtain any benefit provided in the health care
41 plan pursuant to subsection 1;

42 (b) Refuse to issue a health care plan or cancel a health care
43 plan solely because the person applying for or covered by the plan
44 uses or may use a benefit provided in the health care plan
45 pursuant to subsection 1;



1 (c) Offer or pay any type of material inducement or financial
2 incentive to an enrollee to discourage the enrollee from obtaining
3 any such benefit;

4 (d) Penalize a provider of health care who provides any such
5 benefit to an enrollee, including, without limitation, reducing the
6 reimbursement of the provider of health care;

7 (e) Offer or pay any type of material inducement, bonus or
8 other financial incentive to a provider of health care to deny,
9 reduce, withhold, limit or delay access to any such benefit to an
10 enrollee; or

11 (f) Impose any other restrictions or delays on the access of an
12 enrollee to any such benefit.

13 4. Any evidence of coverage subject to the provisions of this
14 chapter which is delivered, issued for delivery or renewed on or
15 after ~~July 1, 2007,~~ **January 1, 2018**, has the legal effect of
16 including the coverage required by subsection 1, and any provision
17 of the evidence of coverage or the renewal which is in conflict with
18 ~~subsection 1~~ **this section** is void.

19 ~~4. For the purposes of this section, "human~~

20 5. **Except as otherwise provided in this section and federal**
21 **law, a health maintenance organization may use medical**
22 **management techniques, including, without limitation, any**
23 **available clinical evidence, to determine the frequency of or**
24 **treatment relating to any benefit required by this section or the**
25 **type of provider of health care to use for such treatment.**

26 6. **As used in this section:**

27 (a) **"Human papillomavirus vaccine"** means the Quadrivalent
28 Human Papillomavirus Recombinant Vaccine or its successor which
29 is approved by the Food and Drug Administration for the prevention
30 of human papillomavirus infection and cervical cancer.

31 (b) **"Medical management technique"** means a practice which
32 is used to control the cost or utilization of health care services or
33 prescription drug use. The term includes, without limitation, the
34 use of step therapy, prior authorization or categorizing drugs and
35 devices based on cost, type or method of administration.

36 (c) **"Network plan"** means a health care plan offered by a
37 health maintenance organization under which the financing and
38 delivery of medical care, including items and services paid for as
39 medical care, are provided, in whole or in part, through a defined
40 set of providers of health care under contract with the health
41 maintenance organization. The term does not include an
42 arrangement for the financing of premiums.

43 (d) **"Provider of health care"** has the meaning ascribed to it in
44 **NRS 629.031.**



* A B 4 0 8 R 3 *

1 **Sec. 78.** NRS 695C.330 is hereby amended to read as follows:

2 695C.330 1. The Commissioner may suspend or revoke any
3 certificate of authority issued to a health maintenance organization
4 pursuant to the provisions of this chapter if the Commissioner finds
5 that any of the following conditions exist:

6 (a) The health maintenance organization is operating
7 significantly in contravention of its basic organizational document,
8 its health care plan or in a manner contrary to that described in and
9 reasonably inferred from any other information submitted pursuant
10 to NRS 695C.060, 695C.070 and 695C.140, unless any amendments
11 to those submissions have been filed with and approved by the
12 Commissioner;

13 (b) The health maintenance organization issues evidence of
14 coverage or uses a schedule of charges for health care services
15 which do not comply with the requirements of NRS 695C.1691 to
16 695C.200, inclusive, *and sections 68 to 73, inclusive, of this act* or
17 695C.207;

18 (c) The health care plan does not furnish comprehensive health
19 care services as provided for in NRS 695C.060;

20 (d) The Commissioner certifies that the health maintenance
21 organization:

22 (1) Does not meet the requirements of subsection 1 of NRS
23 695C.080; or

24 (2) Is unable to fulfill its obligations to furnish health care
25 services as required under its health care plan;

26 (e) The health maintenance organization is no longer financially
27 responsible and may reasonably be expected to be unable to meet its
28 obligations to enrollees or prospective enrollees;

29 (f) The health maintenance organization has failed to put into
30 effect a mechanism affording the enrollees an opportunity to
31 participate in matters relating to the content of programs pursuant to
32 NRS 695C.110;

33 (g) The health maintenance organization has failed to put into
34 effect the system required by NRS 695C.260 for:

35 (1) Resolving complaints in a manner reasonably to dispose
36 of valid complaints; and

37 (2) Conducting external reviews of adverse determinations
38 that comply with the provisions of NRS 695G.241 to 695G.310,
39 inclusive;

40 (h) The health maintenance organization or any person on its
41 behalf has advertised or merchandised its services in an untrue,
42 misrepresentative, misleading, deceptive or unfair manner;

43 (i) The continued operation of the health maintenance
44 organization would be hazardous to its enrollees;



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1 (j) The health maintenance organization fails to provide the
2 coverage required by NRS 695C.1691; or

3 (k) The health maintenance organization has otherwise failed to
4 comply substantially with the provisions of this chapter.

5 2. A certificate of authority must be suspended or revoked only
6 after compliance with the requirements of NRS 695C.340.

7 3. If the certificate of authority of a health maintenance
8 organization is suspended, the health maintenance organization shall
9 not, during the period of that suspension, enroll any additional
10 groups or new individual contracts, unless those groups or persons
11 were contracted for before the date of suspension.

12 4. If the certificate of authority of a health maintenance
13 organization is revoked, the organization shall proceed, immediately
14 following the effective date of the order of revocation, to wind up its
15 affairs and shall conduct no further business except as may be
16 essential to the orderly conclusion of the affairs of the organization.
17 It shall engage in no further advertising or solicitation of any kind.
18 The Commissioner may, by written order, permit such further
19 operation of the organization as the Commissioner may find to be in
20 the best interest of enrollees to the end that enrollees are afforded
21 the greatest practical opportunity to obtain continuing coverage for
22 health care.

23 **Sec. 79.** Chapter 695F of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 80 and 81 of this act.

25 **Sec. 80. 1. A prepaid limited health service organization**
26 **shall offer or issue evidence of coverage to any person regardless**
27 **of the health status of the person or any dependent of the person.**
28 **Such health status includes, without limitation:**

29 (a) *Any preexisting medical condition of the person, including,*
30 *without limitation, any physical or mental illness;*

31 (b) *The claims history of the person, including, without*
32 *limitation, any prior health care services received by the person;*

33 (c) *Genetic information relating to the person; and*

34 (d) *Any increased risk for illness, injury or any other medical*
35 *condition of the person, including, without limitation, any medical*
36 *condition caused by an act of domestic violence.*

37 2. *A prepaid limited health service organization that offers or*
38 *issues evidence of coverage shall not:*

39 (a) *Deny, limit or exclude a benefit based on the health status*
40 *of an enrollee; or*

41 (b) *Require an enrollee, as a condition of enrollment or*
42 *renewal, to pay a premium, deductible, copay or coinsurance*
43 *based on his or her health status which is greater than the*
44 *premium, deductible, copay or coinsurance charged to a similarly*



1 *situated enrollee or the covered dependent of such an enrollee who*
2 *does not have such a health status.*

3 *3. A prepaid limited health service organization that offers or*
4 *issues evidence of coverage shall not adjust a premium,*
5 *deductible, copay or coinsurance for any enrollee on the basis of*
6 *genetic information relating to the enrollee or the covered*
7 *dependent of the enrollee.*

8 **Sec. 81. 1.** *A prepaid limited health service organization*
9 *that offers or issues evidence of coverage which provides coverage*
10 *for dependent children shall continue to make such coverage*
11 *available for an adult child of an enrollee until such child reaches*
12 *26 years of age.*

13 *2. Nothing in this section shall be construed as requiring a*
14 *prepaid limited health service organization to make coverage*
15 *available for a dependent of an adult child of an enrollee.*

16 **Sec. 82.** Chapter 695G of NRS is hereby amended by adding
17 thereto the provisions set forth as sections 83 to 89, inclusive, of this
18 act.

19 **Sec. 83. 1.** *A managed care organization shall offer or*
20 *issue a health care plan to any person regardless of the health*
21 *status of the person or any dependent of the person. Such health*
22 *status includes, without limitation:*

23 *(a) Any preexisting medical condition of the person, including,*
24 *without limitation, any physical or mental illness;*

25 *(b) The claims history of the person, including, without*
26 *limitation, any prior health care services received by the person;*

27 *(c) Genetic information relating to the person; and*

28 *(d) Any increased risk for illness, injury or any other medical*
29 *condition of the person, including, without limitation, any medical*
30 *condition caused by an act of domestic violence.*

31 *2. A managed care organization that offers or issues a health*
32 *care plan shall not:*

33 *(a) Deny, limit or exclude a benefit based on the health status*
34 *of an insured; or*

35 *(b) Require an insured, as a condition of enrollment or*
36 *renewal, to pay a premium, deductible, copay or coinsurance*
37 *based on his or her health status which is greater than the*
38 *premium, deductible, copay or coinsurance charged to a similarly*
39 *situated insured or the covered dependent of such an insured who*
40 *does not have such a health status.*

41 *3. A managed care organization that offers or issues a health*
42 *care plan shall not adjust a premium, deductible, copay or*
43 *coinsurance for any insured on the basis of genetic information*
44 *relating to the insured or the covered dependent of the insured.*



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1 **Sec. 84. 1. A managed care organization that offers or**
2 *issues a health care plan which provides coverage for dependent*
3 *children shall continue to make such coverage available for an*
4 *adult child of an insured until such child reaches 26 years of age.*

5 **2. Nothing in this section shall be construed as requiring a**
6 *managed care organization to make coverage available for a*
7 *dependent of an adult child of an insured.*

8 **Sec. 84.5. 1. Except as otherwise provided in subsection 7,**
9 *a managed care organization that offers or issues a health care*
10 *plan shall include in the plan coverage for:*

11 **(a) Up to a 12-month supply, per prescription, of any type of**
12 *drug for contraception or its therapeutic equivalent which is:*

- 13 **(1) Lawfully prescribed or ordered;**
14 **(2) Approved by the Food and Drug Administration;**
15 **(3) Listed in subsection 10; and**
16 **(4) Dispensed in accordance with section 11.3 of this act;**

17 **(b) Any type of device for contraception which is:**

- 18 **(1) Lawfully prescribed or ordered;**
19 **(2) Approved by the Food and Drug Administration; and**
20 **(3) Listed in subsection 10;**

21 **(c) Insertion of a device for contraception or removal of such a**
22 *device if the device was inserted while the insured was covered by*
23 *the same health care plan;*

24 **(d) Education and counseling relating to the initiation of the**
25 *use of contraception and any necessary follow-up after initiating*
26 *such use;*

27 **(e) Management of side effects relating to contraception; and**

28 **(f) Voluntary sterilization for women.**

29 **2. A managed care organization must ensure that the benefits**
30 *required by subsection 1 are made available to an insured through*
31 *a provider of health care who participates in the network plan of*
32 *the managed care organization.*

33 **3. If a covered therapeutic equivalent listed in subsection 1 is**
34 *not available or a provider of health care deems a covered*
35 *therapeutic equivalent to be medically inappropriate, an alternate*
36 *therapeutic equivalent prescribed by a provider of health care*
37 *must be covered by the managed care organization.*

38 **4. Except as otherwise provided in subsections 8, 9 and 11, a**
39 *managed care organization that offers or issues a health care plan*
40 *shall not:*

41 **(a) Require an insured to pay a higher deductible, any**
42 *copayment or coinsurance or require a longer waiting period or*
43 *other condition for coverage to obtain any benefit included in the*
44 *plan pursuant to subsection 1;*



1 (b) Refuse to issue a health care plan or cancel a health care
2 plan solely because the person applying for or covered by the plan
3 uses or may use any such benefit;

4 (c) Offer or pay any type of material inducement or financial
5 incentive to an insured to discourage the insured from obtaining
6 any such benefit;

7 (d) Penalize a provider of health care who provides any such
8 benefit to an insured, including, without limitation, reducing the
9 reimbursement of the provider of health care;

10 (e) Offer or pay any type of material inducement, bonus or
11 other financial incentive to a provider of health care to deny,
12 reduce, withhold, limit or delay access to any such benefit to an
13 insured; or

14 (f) Impose any other restrictions or delays on the access of an
15 insured to any such benefit.

16 5. Coverage pursuant to this section for the covered
17 dependent of an insured must be the same as for the insured.

18 6. Except as otherwise provided in subsection 7, a health care
19 plan subject to the provisions of this chapter that is delivered,
20 issued for delivery or renewed on or after January 1, 2018, has the
21 legal effect of including the coverage required by subsection 1,
22 and any provision of the plan or the renewal which is in conflict
23 with this section is void.

24 7. A managed care organization that offers or issues a health
25 care plan and which is affiliated with a religious organization is
26 not required to provide the coverage required by subsection 1 if
27 the managed care organization objects on religious grounds. Such
28 a managed care organization shall, before the issuance of a health
29 care plan and before the renewal of such a plan, provide to the
30 prospective insured written notice of the coverage that the
31 managed care organization refuses to provide pursuant to this
32 subsection.

33 8. A managed care organization may require an insured to
34 pay a higher deductible, copayment or coinsurance for a drug for
35 contraception if the insured refuses to accept a therapeutic
36 equivalent of the drug.

37 9. For each of the 18 methods of contraception listed in
38 subsection 10 that have been approved by the Food and Drug
39 Administration, a health care plan must include at least one drug
40 or device for contraception within each method for which no
41 deductible, copayment or coinsurance may be charged to the
42 insured, but the managed care organization may charge a
43 deductible, copayment or coinsurance for any other drug or device
44 that provides the same method of contraception.



1 10. The following 18 methods of contraception must be
2 covered pursuant to this section:

- 3 (a) Voluntary sterilization for women;
4 (b) Surgical sterilization implants for women;
5 (c) Implantable rods;
6 (d) Copper-based intrauterine devices;
7 (e) Progesterone-based intrauterine devices;
8 (f) Injections;
9 (g) Combined estrogen- and progestin-based drugs;
10 (h) Progestin-based drugs;
11 (i) Extended- or continuous-regimen drugs;
12 (j) Estrogen- and progestin-based patches;
13 (k) Vaginal contraceptive rings;
14 (l) Diaphragms with spermicide;
15 (m) Sponges with spermicide;
16 (n) Cervical caps with spermicide;
17 (o) Female condoms;
18 (p) Spermicide;
19 (q) Combined estrogen- and progestin-based drugs for
20 emergency contraception or progestin-based drugs for emergency
21 contraception; and
22 (r) Ulipristal acetate for emergency contraception.

23 11. Except as otherwise provided in this section and federal
24 law, a managed care organization may use medical management
25 techniques, including, without limitation, any available clinical
26 evidence, to determine the frequency of or treatment relating to
27 any benefit required by this section or the type of provider of
28 health care to use for such treatment.

29 12. A managed care organization shall not use medical
30 management techniques to require an insured to use a different
31 method of contraception other than the method prescribed or
32 ordered by a provider of health care.

33 13. A managed care organization must provide an accessible,
34 transparent and expedited process which is not unduly
35 burdensome by which an insured, or the authorized representative
36 of the insured, may request an exception relating to any medical
37 management technique used by the managed care organization to
38 obtain any benefit required by this section without a higher
39 deductible, copayment or coinsurance.

40 14. As used in this section:

41 (a) "Medical management technique" means a practice which
42 is used to control the cost or utilization of health care services or
43 prescription drug use. The term includes, without limitation, the
44 use of step therapy, prior authorization or categorizing drugs and
45 devices based on cost, type or method of administration.



1 (b) "Network plan" means a health care plan offered by a
2 managed care organization under which the financing and
3 delivery of medical care, including items and services paid for as
4 medical care, are provided, in whole or in part, through a defined
5 set of providers of health care under contract with the managed
6 care organization. The term does not include an arrangement for
7 the financing of premiums.

8 (c) "Provider of health care" has the meaning ascribed to it in
9 NRS 629.031.

10 (d) "Therapeutic equivalent" means a drug which:

11 (1) Contains an identical amount of the same active
12 ingredients in the same dosage and method of administration as
13 another drug;

14 (2) Is expected to have the same clinical effect when
15 administered to a patient pursuant to a prescription or order as
16 another drug; and

17 (3) Meets any other criteria required by the Food and Drug
18 Administration for classification as a therapeutic equivalent.

19 **Sec. 85. 1.** A managed care organization that offers or
20 issues a health care plan shall include in the plan coverage for:

21 (a) Counseling and support for breastfeeding, including
22 breastfeeding equipment, counseling and education during the
23 antenatal, perinatal and postpartum period for not more than 1
24 year;

25 (b) Screening and counseling for interpersonal and domestic
26 violence for women at least annually, with initial intervention
27 services consisting of education, strategies to reduce harm,
28 supportive services or a referral for any other appropriate
29 services;

30 (c) Behavioral counseling concerning sexually transmitted
31 diseases from a provider of health care for sexually active women
32 who are at increased risk for such diseases;

33 (d) Such prenatal screenings and tests as recommended by the
34 American College of Obstetricians and Gynecologists or its
35 successor organization;

36 (e) Screening for blood pressure abnormalities and diabetes,
37 including gestational diabetes, after at least 24 weeks of gestation
38 or as ordered by a provider of health care;

39 (f) Screening for cervical cancer at such intervals as are
40 recommended by the American College of Obstetricians and
41 Gynecologists or its successor organization;

42 (g) Such well-woman preventive visits as recommended by the
43 Health Resources and Services Administration, which must
44 include at least one such visit per year beginning at 14 years of
45 age;



1 (h) A daily dose of 0.4 to 0.8 milligrams of folic acid for
2 women who are capable of becoming pregnant;

3 (i) Aspirin for the prevention of preeclampsia for women who
4 are determined to be at a high risk of that condition after 12 weeks
5 of gestation;

6 (j) Medication to prevent breast cancer for women who are at
7 a high risk of developing breast cancer and have a low risk of
8 adverse side effects from the medication; and

9 (k) Prophylactic ocular tubal medication for the prevention of
10 gonococcal ophthalmia in newborns.

11 2. A managed care organization must ensure that the benefits
12 required by subsection 1 are made available to an insured through
13 a provider of health care who participates in the network plan of
14 the managed care organization.

15 3. Except as otherwise provided in subsection 5, a managed
16 care organization that offers or issues a health care plan shall not:

17 (a) Require an insured to pay a higher deductible, any
18 copayment or coinsurance or require a longer waiting period or
19 other condition to obtain any benefit provided in the health care
20 plan pursuant to subsection 1;

21 (b) Refuse to issue a health care plan or cancel a health care
22 plan solely because the person applying for or covered by the plan
23 uses or may use a benefit provided in the health care plan
24 pursuant to subsection 1;

25 (c) Offer or pay any type of material inducement or financial
26 incentive to an insured to discourage the insured from obtaining
27 any such benefit;

28 (d) Penalize a provider of health care who provides any such
29 benefit to an insured including, without limitation, reducing the
30 reimbursement of the provider of health care;

31 (e) Offer or pay any type of material inducement, bonus or
32 other financial incentive to a provider of health care to deny,
33 reduce, withhold, limit or delay access to any such benefit to an
34 insured; or

35 (f) Impose any other restrictions or delays on the access of an
36 insured to any such benefit.

37 4. An evidence of coverage subject to the provisions of this
38 chapter that is delivered, issued for delivery or renewed on or after
39 January 1, 2018, has the legal effect of including the coverage
40 required by subsection 1, and any provision of the evidence of
41 coverage or the renewal which is in conflict with this section is
42 void.

43 5. Except as otherwise provided in this section and federal
44 law, a managed care organization may use medical management
45 techniques, including, without limitation, any available clinical



1 *evidence, to determine the frequency of or treatment relating to*
2 *any benefit required by this section or the type of provider of*
3 *health care to use for such treatment.*

4 6. *As used in this section:*

5 (a) *“Medical management technique” means a practice which*
6 *is used to control the cost or utilization of health care services or*
7 *prescription drug use. The term includes, without limitation, the*
8 *use of step therapy, prior authorization or categorizing drugs and*
9 *devices based on cost, type or method of administration.*

10 (b) *“Network plan” means a health care plan offered by a*
11 *managed care organization under which the financing and*
12 *delivery of medical care, including items and services paid for as*
13 *medical care, are provided, in whole or in part, through a defined*
14 *set of providers of health care under contract with the managed*
15 *care organization. The term does not include an arrangement for*
16 *the financing of premiums.*

17 (c) *“Provider of health care” has the meaning ascribed to it in*
18 *NRS 629.031.*

19 **Sec. 86. 1.** *A managed care organization that offers or*
20 *issues a health care plan shall include in the plan coverage for:*

21 (a) *Counseling relating to the dietary needs of adults who are*
22 *at a high risk of chronic diseases;*

23 (b) *Statin preventive medication for persons between the ages*
24 *of 40 and 75 years who do not have a history of cardiovascular*
25 *disease, but who have:*

26 (1) *One or more risk factors for cardiovascular disease;*
27 *and*

28 (2) *A calculated risk of at least 10 percent of acquiring*
29 *cardiovascular disease within the next 10 years;*

30 (c) *Aspirin for persons between the ages of 50 and 59 years*
31 *who have a calculated risk of at least 10 percent of acquiring*
32 *cardiovascular disease within the next 10 years and a life*
33 *expectancy of at least 10 years;*

34 (d) *Vitamin D supplements for persons who are at least 65*
35 *years of age to prevent the person from falling if the person:*

36 (1) *Does not reside in a medical facility or a facility for the*
37 *dependent; and*

38 (2) *Has an increased risk of falls;*

39 (e) *Tuberculosis screenings for latent tuberculosis infection in*
40 *persons with increased risk of contracting tuberculosis;*

41 (f) *Screening for high blood pressure to confirm a diagnosis*
42 *made outside a clinical setting before treatment is commenced;*

43 (g) *One abdominal aortic screening by ultrasound to detect*
44 *abdominal aortic aneurisms for men between the ages of 65 and*
45 *75 years who have smoked during their lifetimes;*



1 (h) Screening for hepatitis B infection for persons who are at a
2 high risk of contracting hepatitis B;

3 (i) Screening for hepatitis C infection for persons who are at a
4 high risk of contracting hepatitis C;

5 (j) One screening for hepatitis C infection for persons born
6 between 1945 and 1965;

7 (k) Screening for osteoporosis for women who:

8 (1) Are 65 years of age and older; or

9 (2) Have a risk of fracturing a bone equal to or greater
10 than that of a woman who is 65 years of age without any
11 additional risk factors;

12 (l) Screening for alcohol misuse for persons 18 years of age or
13 older;

14 (m) If a person engages in risky or hazardous consumption of
15 alcohol, as determined by the screening described in paragraph
16 (l), behavioral counseling to reduce such behavior; and

17 (n) Screening for lung cancer using low-dose computed
18 tomography for persons between the ages of 55 and 80 years who:

19 (1) Have a smoking history of 30 pack-years;

20 (2) Smoke or have stopped smoking within the immediately
21 preceding 15 years; and

22 (3) Do not suffer from a health problem that substantially
23 limits the life expectancy of the person or the willingness of the
24 person to undergo curative surgery.

25 2. A managed care organization must ensure that the benefits
26 required by subsection 1 are made available to an insured through
27 a provider of health care who participates in the network plan of
28 the managed care organization.

29 3. Except as otherwise provided in subsection 5, a managed
30 care organization that offers or issues a health care plan shall not:

31 (a) Require an insured to pay a higher deductible, any
32 copayment or coinsurance or require a longer waiting period or
33 other condition to obtain any benefit provided in the health care
34 plan pursuant to subsection 1;

35 (b) Refuse to issue a health care plan or cancel a health care
36 plan solely because the person applying for or covered by the plan
37 uses or may use a benefit provided in the health care plan
38 pursuant to subsection 1;

39 (c) Offer or pay any type of material inducement or financial
40 incentive to an insured to discourage the insured from obtaining
41 any such benefit;

42 (d) Penalize a provider of health care who provides any such
43 benefit to an insured, including, without limitation, reducing the
44 reimbursement of the provider of health care;



1 (e) Offer or pay any type of material inducement, bonus or
2 other financial incentive to a provider of health care to deny,
3 reduce, withhold, limit or delay access to any such benefit to an
4 insured; or

5 (f) Impose any other restrictions or delays on the access of an
6 insured to any such benefit.

7 4. An evidence of coverage subject to the provisions of this
8 chapter that is delivered, issued for delivery or renewed on or after
9 January 1, 2018, has the legal effect of including the coverage
10 required by subsection 1, and any provision of the evidence of
11 coverage or the renewal which is in conflict with this section is
12 void.

13 5. Except as otherwise provided in this section and federal
14 law, a managed care organization may use medical management
15 techniques, including, without limitation, any available clinical
16 evidence, to determine the frequency of or treatment relating to
17 any benefit required by this section or the type of provider of
18 health care to use for such treatment.

19 6. As used in this section:

20 (a) "Computed tomography" means the process of producing
21 sectional and three-dimensional images using external ionizing
22 radiation.

23 (b) "Facility for the dependent" has the meaning ascribed to it
24 in NRS 449.0045.

25 (c) "Medical facility" has the meaning ascribed to it in
26 NRS 449.0151.

27 (d) "Medical management technique" means a practice which
28 is used to control the cost or utilization of health care services or
29 prescription drug use. The term includes, without limitation, the
30 use of step therapy, prior authorization or categorizing drugs and
31 devices based on cost, type or method of administration.

32 (e) "Network plan" means a health care plan offered by a
33 managed care organization under which the financing and
34 delivery of medical care, including items and services paid for as
35 medical care, are provided, in whole or in part, through a defined
36 set of providers of health care under contract with the managed
37 care organization. The term does not include an arrangement for
38 the financing of premiums.

39 (f) "Pack-year" means the product of the number of packs of
40 cigarettes smoked per day and the number of years that the person
41 has smoked.

42 (g) "Provider of health care" has the meaning ascribed to it in
43 NRS 629.031.

44 **Sec. 87. 1.** A managed care organization that offers or
45 issues a health care plan shall include in the plan coverage for:



- 1 (a) *Screening for depression;*
2 (b) *All vaccinations recommended by the Advisory Committee*
3 *on Immunization Practices of the Centers for Disease Control and*
4 *Prevention of the United States Department of Health and Human*
5 *Services or its successor organization;*
6 (c) *Screening, tests and counseling for such other health*
7 *conditions and diseases as recommended by the Health Resources*
8 *and Services Administration for persons less than 18 years of age;*
9 *and*
10 (d) *Assessments relating to height, weight, body mass index*
11 *and medical history for persons less than 18 years of age.*
12 2. *A managed care organization must ensure that the benefits*
13 *required by subsection 1 are made available to an insured through*
14 *a provider of health care who participates in the network plan of*
15 *the managed care organization.*
16 3. *Except as otherwise provided in subsection 5, a managed*
17 *care organization that offers or issues a health care plan shall not:*
18 (a) *Require an insured to pay a higher deductible, any*
19 *copayment or coinsurance or require a longer waiting period or*
20 *other condition to obtain any benefit provided in the health care*
21 *plan pursuant to subsection 1;*
22 (b) *Refuse to issue a health care plan or cancel a health care*
23 *plan solely because the person applying for or covered by the plan*
24 *uses or may use a benefit provided in the health care plan*
25 *pursuant to subsection 1;*
26 (c) *Offer or pay any type of material inducement or financial*
27 *incentive to an insured to discourage the insured from obtaining*
28 *any such benefit;*
29 (d) *Penalize a provider of health care who provides any such*
30 *benefit to an insured, including, without limitation, reducing the*
31 *reimbursement of the provider of health care;*
32 (e) *Offer or pay any type of material inducement, bonus or*
33 *other financial incentive to a provider of health care to deny,*
34 *reduce, withhold, limit or delay access to any such benefit to an*
35 *insured; or*
36 (f) *Impose any other restrictions or delays on the access of an*
37 *insured to any such benefit.*
38 4. *An evidence of coverage subject to the provisions of this*
39 *chapter that is delivered, issued for delivery or renewed on or after*
40 *January 1, 2018, has the legal effect of including the coverage*
41 *required by subsection 1, and any provision of the evidence of*
42 *coverage or the renewal which is in conflict with this section is*
43 *void.*
44 5. *Except as otherwise provided in this section and federal*
45 *law, a managed care organization may use medical management*



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1 *techniques, including, without limitation, any available clinical*
2 *evidence, to determine the frequency of or treatment relating to*
3 *any benefit required by this section or the type of provider of*
4 *health care to use for such treatment.*

5 6. *As used in this section:*

6 (a) *“Medical management technique” means a practice which*
7 *is used to control the cost or utilization of health care services or*
8 *prescription drug use. The term includes, without limitation, the*
9 *use of step therapy, prior authorization or categorizing drugs and*
10 *devices based on cost, type or method of administration.*

11 (b) *“Network plan” means a health care plan offered by a*
12 *managed care organization under which the financing and*
13 *delivery of medical care, including items and services paid for as*
14 *medical care, are provided, in whole or in part, through a defined*
15 *set of providers of health care under contract with the managed*
16 *care organization. The term does not include an arrangement for*
17 *the financing of premiums.*

18 (c) *“Provider of health care” has the meaning ascribed to it in*
19 *NRS 629.031.*

20 **Sec. 88. 1.** *Except as otherwise provided in this subsection,*
21 *an evidence of coverage issued pursuant to this chapter may not*
22 *restrict benefits for any length of stay in a hospital in connection*
23 *with childbirth for a mother or newborn infant covered by the*
24 *health care plan to:*

25 (a) *Less than 48 hours after a normal vaginal delivery; and*

26 (b) *Less than 96 hours after a cesarean section.*

27 ↪ *If a different length of stay is provided in the guidelines*
28 *established by the American College of Obstetricians and*
29 *Gynecologists, or its successor organization, and the American*
30 *Academy of Pediatrics, or its successor organization, the health*
31 *care plan may follow such guidelines in lieu of following the*
32 *length of stay set forth above. The provisions of this subsection do*
33 *not apply to any health care plan in any case in which the decision*
34 *to discharge the mother or newborn infant before the expiration of*
35 *the minimum length of stay set forth in this subsection is made by*
36 *the attending physician of the mother or newborn infant.*

37 2. *Nothing in this section requires a mother to:*

38 (a) *Deliver her baby in a hospital; or*

39 (b) *Stay in a hospital for a fixed period following the birth of*
40 *her child.*

41 3. *A health care plan may not:*

42 (a) *Deny a mother or her newborn infant coverage or*
43 *continued coverage under the terms of the plan or coverage if the*
44 *sole purpose of the denial of coverage or continued coverage is to*
45 *avoid the requirements of this section;*



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1 (b) Provide monetary payments or rebates to a mother to
2 encourage her to accept less than the minimum protection
3 available pursuant to this section;

4 (c) Penalize, or otherwise reduce or limit, the reimbursement
5 of an attending provider of health care because the attending
6 provider of health care provided care to a mother or newborn
7 infant in accordance with the provisions of this section;

8 (d) Provide incentives of any kind to an attending physician to
9 induce the attending physician to provide care to a mother or
10 newborn infant in a manner that is inconsistent with the
11 provisions of this section; or

12 (e) Except as otherwise provided in subsection 4, restrict
13 benefits for any portion of a hospital stay required pursuant to the
14 provisions of this section in a manner that is less favorable than
15 the benefits provided for any preceding portion of that stay.

16 4. Nothing in this section:

17 (a) Prohibits a health care plan from imposing a deductible,
18 coinsurance or other mechanism for sharing costs relating to
19 benefits for hospital stays in connection with childbirth for a
20 mother or newborn child covered by the plan, except that such
21 coinsurance or other mechanism for sharing costs for any portion
22 of a hospital stay required by this section may not be greater than
23 the coinsurance or other mechanism for any preceding portion of
24 that stay.

25 (b) Prohibits an arrangement for payment between a managed
26 care organization and a provider of health care that uses
27 capitation or other financial incentives, if the arrangement is
28 designed to provide services efficiently and consistently in the best
29 interest of the mother and her newborn infant.

30 (c) Prevents a managed care organization from negotiating
31 with a provider of health care concerning the level and type of
32 reimbursement to be provided in accordance with this section.

33 5. An evidence of coverage subject to the provisions of this
34 chapter that is delivered, issued for delivery or renewed on or after
35 January 1, 2018, has the legal effect of including the coverage
36 required by subsection 1, and any provision of the evidence of
37 coverage or the renewal which is in conflict with this section is
38 void.

39 6. As used in this section, "provider of health care" has the
40 meaning ascribed to it in NRS 629.031.

41 **Sec. 89. 1.** A managed care organization which offers or
42 issues a health care plan must provide coverage for benefits
43 payable for expenses incurred for:

44 (a) A mammogram every 2 years, or annually if ordered by a
45 provider of health care, for women 40 years of age or older;



1 (b) *Counseling concerning genetic testing for breast cancer for*
2 *women who are at a high risk of developing breast cancer; and*

3 (c) *Counseling concerning breast cancer chemoprevention for*
4 *women who are at risk of developing breast cancer.*

5 2. *A managed care organization must ensure that the benefits*
6 *required by subsection 1 are made available to an insured through*
7 *a provider of health care who participates in the network plan of*
8 *the managed care organization.*

9 3. *Except as otherwise provided in subsection 5, a managed*
10 *care organization that offers or issues a health care plan shall not:*

11 (a) *Require an insured to pay a higher deductible, any*
12 *copayment or coinsurance or require a longer waiting period or*
13 *other condition to obtain any benefit provided in the health care*
14 *plan pursuant to subsection 1;*

15 (b) *Refuse to issue a health care plan or cancel a health care*
16 *plan solely because the person applying for or covered by the plan*
17 *uses or may use a benefit provided in the health care plan*
18 *pursuant to subsection 1;*

19 (c) *Offer or pay any type of material inducement or financial*
20 *incentive to an insured to discourage the insured from obtaining*
21 *any such benefit;*

22 (d) *Penalize a provider of health care who provides any such*
23 *benefit to an insured, including, without limitation, reducing the*
24 *reimbursement of the provider of health care;*

25 (e) *Offer or pay any type of material inducement, bonus or*
26 *other financial incentive to a provider of health care to deny,*
27 *reduce, withhold, limit or delay access to any such benefit to an*
28 *insured; or*

29 (f) *Impose any other restrictions or delays on the access of an*
30 *insured to any such benefit.*

31 4. *An evidence of coverage subject to the provisions of this*
32 *chapter which is delivered, issued for delivery or renewed on or*
33 *after January 1, 2018, has the legal effect of including the*
34 *coverage required by subsection 1, and any provision of the*
35 *evidence of coverage or the renewal which is in conflict with this*
36 *section is void.*

37 5. *Except as otherwise provided in this section and federal*
38 *law, a managed care organization may use medical management*
39 *techniques, including, without limitation, any available clinical*
40 *evidence, to determine the frequency of or treatment relating to*
41 *any benefit required by this section or the type of provider of*
42 *health care to use for such treatment.*

43 6. *As used in this section:*

44 (a) *“Medical management technique” means a practice which*
45 *is used to control the cost or utilization of health care services or*



1 *prescription drug use. The term includes, without limitation, the*
2 *use of step therapy, prior authorization or categorizing drugs and*
3 *devices based on cost, type or method of administration.*

4 (b) *“Network plan” means a health care plan offered by a*
5 *managed care organization under which the financing and*
6 *delivery of medical care, including items and services paid for as*
7 *medical care, are provided, in whole or in part, through a defined*
8 *set of providers of health care under contract with the managed*
9 *care organization. The term does not include an arrangement for*
10 *the financing of premiums.*

11 (c) *“Provider of health care” has the meaning ascribed to it in*
12 *NRS 629.031.*

13 **Sec. 90.** NRS 695G.171 is hereby amended to read as follows:

14 695G.171 1. A health care plan issued by a managed care
15 organization must provide coverage for benefits payable for
16 expenses incurred for ~~administering~~ :

17 (a) *Deoxyribonucleic acid testing for high-risk strains of the*
18 *human papillomavirus every 3 years for women 30 years of age or*
19 *older; and*

20 (b) *Administering* the human papillomavirus vaccine as
21 recommended for vaccination by a competent authority, including,
22 without limitation, the Centers for Disease Control and Prevention
23 of the United States Department of Health and Human Services, the
24 Food and Drug Administration or the manufacturer of the vaccine.

25 2. ~~¶A health care plan must not require an insured to~~
26 ~~obtain prior authorization for any service provided pursuant to~~
27 ~~subsection 1.¶~~ *A managed care organization must ensure that the*
28 *benefits required by subsection 1 are made available to an insured*
29 *through a provider of health care who participates in the network*
30 *plan of the managed care organization.*

31 3. *Except as otherwise provided in subsection 5, a managed*
32 *care organization that offers or issues a health care plan shall not:*

33 (a) *Require an insured to pay a higher deductible, any*
34 *copayment or coinsurance or require a longer waiting period or*
35 *other condition to obtain any benefit provided in the health care*
36 *plan pursuant to subsection 1;*

37 (b) *Refuse to issue a health care plan or cancel a health care*
38 *plan solely because the person applying for or covered by the plan*
39 *uses or may use a benefit provided in the health care plan*
40 *pursuant to subsection 1;*

41 (c) *Offer or pay any type of material inducement or financial*
42 *incentive to an insured to discourage the insured from obtaining*
43 *any such benefit;*



1 (d) *Penalize a provider of health care who provides any such*
2 *benefit to an insured, including, without limitation, reducing the*
3 *reimbursement of the provider of health care;*

4 (e) *Offer or pay any type of material inducement, bonus or*
5 *other financial incentive to a provider of health care to deny,*
6 *reduce, withhold, limit or delay access to any such benefit to an*
7 *insured; or*

8 (f) *Impose any other restrictions or delays on the access of an*
9 *insured to any such benefit.*

10 4. An evidence of coverage for a health care plan subject to the
11 provisions of this chapter which is delivered, issued for delivery or
12 renewed on or after ~~July 1, 2007,~~ *January 1, 2018*, has the legal
13 effect of including the coverage required by subsection 1, and any
14 provision of the evidence of coverage or the renewal thereof which
15 is in conflict with ~~subsection 1~~ *this section* is void.

16 ~~4. For the purposes of this section, "human~~

17 5. *Except as otherwise provided in this section and federal*
18 *law, a managed care organization may use medical management*
19 *techniques, including, without limitation, any available clinical*
20 *evidence, to determine the frequency of or treatment relating to*
21 *any benefit required by this section or the type of provider of*
22 *health care to use for such treatment.*

23 6. *As used in this section:*

24 (a) *"Human papillomavirus vaccine"* means the Quadrivalent
25 Human Papillomavirus Recombinant Vaccine or its successor which
26 is approved by the Food and Drug Administration for the prevention
27 of human papillomavirus infection and cervical cancer.

28 (b) *"Medical management technique"* means a practice which
29 is used to control the cost or utilization of health care services or
30 prescription drug use. The term includes, without limitation, the
31 use of step therapy, prior authorization or categorizing drugs and
32 devices based on cost, type or method of administration.

33 (c) *"Network plan"* means a health care plan offered by a
34 managed care organization under which the financing and
35 delivery of medical care, including items and services paid for as
36 medical care, are provided, in whole or in part, through a defined
37 set of providers of health care under contract with the managed
38 care organization. The term does not include an arrangement for
39 the financing of premiums.

40 (d) *"Provider of health care"* has the meaning ascribed to it in
41 *NRS 629.031.*

42 **Sec. 91.** (Deleted by amendment.)

43 **Sec. 92.** The provisions of NRS 354.599 do not apply to any
44 additional expenses of a local government that are related to the
45 provisions of this act.



- 1 **Sec. 93.** (Deleted by amendment.)
2 **Sec. 94.** NRS 689A.523, 689A.585, 689B.450, 689C.082,
3 695A.159 and 695F.480 are hereby repealed.
4 **Sec. 95.** This act becomes effective:
5 1. Upon passage and approval for the purposes of performing
6 any preparatory administrative tasks that are necessary to carry out
7 the provisions of this act; and
8 2. On January 1, 2018, for all other purposes.

LEADLINES OF REPEALED SECTIONS

- 689A.523** “Exclusion for a preexisting condition” defined.
689A.585 “Preexisting condition” defined.
689B.450 “Preexisting condition” defined.
689C.082 “Preexisting condition” defined.
695A.159 Society prohibited from restricting coverage of
child based on preexisting condition when person who is eligible
for group coverage adopts or assumes legal obligation for child.
695F.480 Organization prohibited from restricting
coverage of child based on preexisting condition if person who is
eligible for group coverage adopts or assumes legal obligation
for child.



